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BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

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Tuesday, April 6, 2010 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos	Wednesday 1:30 PM
Budget and Finance Sub-Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Dufty	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: John Avalos, David Campos, David Chiu, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar, Sophie Maxwell and Ross Mirkarimi

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:03 p.m. On the call of the roll, Supervisor Alioto-Pier was noted absent. There was a quorum.

Supervisor Alioto-Pier Excused from Voting

Supervisor Mar, seconded by Supervisor Mirkarimi, moved that Supervisor Alioto-Pier be excused from voting. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Elsbernd, moved to approve the Board Meeting Minutes of March 9, 2010. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendation of the Budget and Finance Committee

100185 **[Airport Lease and Operating Agreement]**
Resolution approving the exercise of the fourth of five one-year options to extend the term of Smarte Carte, Inc.'s Luggage Cart Lease and Operating Agreement No. 01-0343. (Airport Commission)

ADOPTED

Recommendations of the Land Use and Economic Development Committee

091165 [Zoning - Parking Requirements and Garage Installation in Existing Residential Buildings in Telegraph Hill, North Beach, and Chinatown]
Sponsors: Chiu; Mar

Ordinance amending the San Francisco Planning Code by amending Sections 714.94, 722.94, 803.2, and Tables 810, 811, and 812, to require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units in the Broadway Neighborhood Commercial District (NCD), the North Beach NCD, and the Chinatown Mixed-Use Districts; adding Section 249.49 and amending Section SU01 of the Zoning Map to establish the Telegraph Hill - North Beach Residential Special Use District to include the residentially-zoned areas bounded by Bay Street to the North, Sansome Street and the Embarcadero to the East, Broadway to the South, and Columbus Avenue to the West, and require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units; amending Section 151 to reduce the minimum parking requirements in the Broadway and North Beach NCDs, the Telegraph Hill - North Beach Residential Special Use District, and the Chinatown Mixed-Use Districts; amending Section 155 to add Columbus Avenue between Washington and North Point Streets, Broadway from the Embarcadero on the east to Mason Street on the west, and all alleyways in the Chinatown Mixed-Use Districts to the list of streets where garage entries, driveways or other vehicular access to off-street parking or loading are prohibited; amending Section 161 to require mandatory discretionary review by the Planning Commission to install a garage in an existing residential building of four or more units and Section 311 notice for a building of less than four units; amending the Public Works Code by amending Section 723.2 to prohibit the issuance of minor sidewalk encroachment permit that would facilitate the installation of parking in a residential structure of four or more units without prior authorization by the Planning Commission; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.
(Fiscal Impact.)

FINALLY PASSED

100231 [Accept and Expend Grant - Buena Vista Park Project, Phase II - $115,025]
Sponsor: Dufty

Resolution authorizing the San Francisco Recreation and Park Department to accept and expend a grant for the Buena Vista Park Project, Phase II, in the amount of $115,025 available under the Federal Land and Water Conservation Fund Program administered by the California Department of Parks and Recreation under the provisions of the Land and Water Conservation Fund Act of 1965

ADOPTED

Recommendations of the Rules Committee

091444 [Creating an Energy Efficiency Steering Committee]
Sponsors: Mar; Campos and Mirkarimi
Ordinance amending the San Francisco Administrative Code by adding Article II to Chapter 5, Sections 5.2-1 through 5.2-8, to: (1) create an Energy Efficiency Steering Committee to advise the Board of Supervisors on planning and decision-making regarding energy efficiency projects; (2) provide for the Committee's membership, organization, and duties; and (3) set a sunset date for the Committee.

FINALLY PASSED

100178 [Settlement of Lawsuit - F & I Management and D & J Parking, Inc. - $25,750]
Ordinance authorizing settlement of the lawsuit filed by F & I Management and D & J Parking, Inc., against the City and County of San Francisco for $25,750; the lawsuit was filed on December 17, 2008, in San Francisco Superior Court, Case No. CGC08-483121; entitled F & I Management and D & J Parking, Inc., et al. v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

100179 [Settlement of Lawsuit - Vincente V. Vista - $35,000]
Ordinance authorizing settlement of the lawsuit filed by Vincente V. Vista against the City and County of San Francisco for $35,000; the lawsuit was filed on July 29, 2008, in San Francisco Superior Court, Case No. 08-478001; entitled Vista v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

100180 [Settlement of Lawsuit - Thomas Barnes - $135,000]
Ordinance authorizing settlement of the lawsuit filed by Thomas Barnes against the City and County of San Francisco for $135,000; the lawsuit was filed on June 13, 2008, in San Francisco Superior Court, Case No. 476-339; entitled Thomas Barnes, et al. v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

100181 [Settlement of Lawsuit - Elbert Harris - $100,000]
Ordinance authorizing settlement of the lawsuit filed by Elbert Harris, III against the City and County of San Francisco, Robert Thomas, and Larry Bevan for $100,000 plus reinstatement of Harris as a Certified Nursing Assistant assigned to San Francisco General Hospital; the lawsuit was filed on May 7, 2008, in United States District Court, Case No. CV 08-2353 PJH; entitled Elbert Harris, III v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

100182 **[Settlement of Class Action Lawsuit - Western Regional Advocacy Project, et al.]**
Ordinance authorizing settlement of the class action lawsuit entitled Western Regional Advocacy Project et al. v. Mayor Gavin Newsom et al., filed on August 27, 2008, in the United States District Court for the Northern District of California, Case No. CV 08-4087-MMC. Pursuant to the proposed settlement, the City will make revisions to current policies of its single adult emergency shelter system in order to improve services to homeless people with disabilities. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

100206 **[Appropriating $157,500 of General Fund Reserve for a Loan to the Community Center Project of San Francisco in the City Administrator's Budget for FY2009-2010]**
Sponsors: Dufty; Campos
Ordinance appropriating $157,500 of General Fund Reserve for a loan to the Community Center Project of San Francisco, Inc., a California nonprofit public corporation, in the City Administrator's Budget for FY2009-2010.
(Fiscal Impact.)
(Supervisor Elsbernd dissented in Committee.)

FINALLY PASSED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 1 - Elsbernd
Excused: 1 - Alioto-Pier

NEW BUSINESS

Recommendations of the Budget and Finance Committee

100269 [Approving Commercial Paper Reimbursement Agreement and Dealer Agreements]
Sponsor: Mayor
Resolution of the City and County of San Francisco approving the form of Reimbursement Agreement or Reimbursement Agreements and the form of Dealer Agreement in connection with its Tax-Exempt and Taxable Lease Revenue Commercial Paper Certificates of Participation, authorizing the execution and delivery of one or more of such Reimbursement Agreement and the execution and delivery of one or more Dealer Agreements and authorizing other related actions. (Fiscal Impact.)
(Supervisor Mirkarimi dissented in Committee.)

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell
Noes: 1 - Mirkarimi
Excused: 1 - Alioto-Pier

100329 [Off-Site Budget and Finance Committee Meeting on April 14, 2010, 4:00 p.m. at Horace Mann Middle School]
Sponsor: Avalos
Motion ordering the April 14, 2010, meeting of the Budget and Finance Committee be held at Horace Mann Middle School, 3351 - 23rd Street, auditorium in the Mission district of San Francisco; and ordering a meeting of the full Board of Supervisors be convened for the same date, time, and place should a quorum of the full Board be present.

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

100368 [Off-Site Budget and Finance Committee Meeting on April 21, 2010, 4:00 p.m. at the Hall of Flowers]
Sponsor: Avalos
Motion ordering the April 21, 2010, meeting of the Budget and Finance Committee be held at the Hall of Flowers, 9th Avenue at Lincoln Way, in the Inner Sunset district of San Francisco; and ordering a meeting of the full Board of Supervisors be convened for the same date, time, and place should a quorum of the full Board be present.

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

Recommendations of the Land Use and Economic Development Committee

091476 [Zoning Map Amendments - Market and Octavia Area Plan Historic Resource Survey Integration]

Ordinance amending the Zoning Map Sheets 7 and 7H of the City and County of San Francisco Planning Code to amend certain height and bulk districts within the Market and Octavia Area Plan to increase, decrease, or retain the heights of certain parcels, consistent with the findings of the Market and Octavia Area Plan Historic Resources Survey, specifically increasing or decreasing heights on some parcels in the Upper Market Street Historic District (an area generally described as Market Street between Church and Noe Streets) and decreasing heights on two parcels at the corner of Guerrero and Duboce Streets (also known as Assessors block and lot numbers 3501004 and 3501003); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

100093 [Housing Code – Residential Hotel Notice Posting Requirement]

Sponsors: Campos; Chiu and Maxwell

Ordinance amending the San Francisco Housing Code by amending Section 1002 to add subsection (f) requiring residential hotel owners/operators to post a notice advising hotel occupants that they may telephone the City's Customer Service Center at 311 to report alleged violations of the Housing Code; adopting findings, including environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

100102 [Requiring the Development and Maintenance of Stormwater Management Controls]

Sponsors: Mayor; Maxwell, Mar, Chiu, Dufty and Mirkarimi

Ordinance amending the San Francisco Public Works Code by repealing Article 4.2, Sections 140 - 149.4, and adding Article 4.2, Sections 147 - 147.6, requiring the development and maintenance of stormwater management controls for specified activities that disturb 5,000 square feet or more of the ground surface, and are subject to building, planning and subdivision approvals.

Supervisor Dufty requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

See Imperative Item, File No. 100425 below.

COMMITTEE REPORTS

Recommendations of the Rules Committee

100303 [Reappointment, Small Business Commission – Luke O'Brien]
Motion approving the Mayor's reappointment of Luke O'Brien to the Small Business Commission, for the term ending January 6, 2014. (Clerk of the Board)
(Charter Section 3.100-17 provides that the Board of Supervisors has the authority to reject the reappointment by two-thirds vote of the Board (eight votes) within 30 days following transmittal of the Mayor's Notice of Reappointment, and that failure of the Board to reject the reappointment by two-thirds vote within the thirty day period shall result in the reappointee continuing to serve as reappointed. Transmittal date - March 12, 2010.)

APPROVED by the following vote:

Ayes: 6 - Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell
Noes: 4 - Avalos, Campos, Daly, Mirkarimi
Excused: 1 - Alioto-Pier

100305 [Reappointment, Small Business Commission – Richard Ventura]
Motion approving the Mayor's reappointment of Richard Ventura to the Small Business Commission, for the term ending January 6, 2014. (Clerk of the Board)

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

100307 [Reappointment, Juvenile Probation Commission – Dirk Beijen]
Motion approving the Mayor's reappointment of Dirk Beijen to the Juvenile Probation Commission, for the term ending January 14, 2014. (Clerk of the Board)

APPROVED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

100308 [Reappointment, Juvenile Probation Commission – Dirk Beijen]
Motion rejecting the Mayor's reappointment of Dirk Beijen to the Juvenile Probation Commission, for the term ending January 14, 2014. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

Recommendation of the Land Use and Economic Development Committee

091453 [Planning Code Amendment – Green Landscaping Ordinance]

Sponsors: Mayor; Chu, Dufty, Mar and Maxwell

Ordinance amending various sections of the Planning Code to address screening, greening, street tree, and permeability requirements; creating definitions for "vehicle use area," "ornamental fencing," and "permeable surface;" amending the Public Works Code Sections 805, 806 and 807 to create requirements for the establishment of new street trees, replacement of dead street trees and removal of street trees and adding Section 802.1 to define climate appropriate standards for plantings in the public right-of-way; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdullah Megaheed; expressed various concerns in Arabic and English.
James Chaffee; expressed concerns relating to the SF Public Library.
Phillip Gary; spoke in support of meat free and cage-free egg legislation.
Hope Kelly; spoke in support of meat free and cage-free egg legislation.
Female Speaker; spoke in support of meat free and cage-free egg legislation.
Richard McRee; expressed concerns relating to technology, inventions and patents.
Christopher Dahl; expressed concerns relating to redevelopment of Treasure Island.
Walker Phillips; spoke in support of meat free and cage-free egg legislation.
Dave Morman; expressed various concerns.
David Spencer; spoke in support of meat free and cage-free egg legislation.
Laura Beck; spoke in support of meat free and cage-free egg legislation.
Abigail Wick; spoke in support of meat free and cage-free egg legislation.
Colleen Holland; spoke in support of meat free and cage-free egg legislation.
Female Speaker; expressed various concerns.
Walter Paulson; shared in song certain concerns with the Board.
Emil Lawrence; expressed various concerns.
Male Speaker; spoke in support of meat free and cage-free egg legislation.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Supervisor Daly was noted absent at 3:09 p.m.

100402 [Accept and Expend Grant - China MSM Technical Assistance - $52,803]
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $52,803 from the Public Health Foundation Enterprises, Inc., to assist with a project entitled "China MSM Technical Assistance" for the period of January 1, 2010, through December 31, 2010.
ADOPTED

100409 [Intent to Install a Commemorative Plaque at 575 Castro Street Recognizing Harvey Milk]
Sponsors: Dufty; Campos, Mirkarimi and Chiu
Resolution to provide for the installation of a second plaque at 575 Castro Street, the location of Harvey Milk's former camera shop in the Castro Neighborhood, to identify his significant contributions to San Francisco and to the Lesbian, Gay, Bisexual, and Transgender Community.
Supervisor Chiu requested to be added as a co-sponsor.
ADOPTED

100410 [Accept and Expend Grant - Pesticide Use Reporting - $2,880]
Sponsor: Chu
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $2,880 from California Department of Pesticide Regulation to assist with a project entitled "Pesticide Use Reporting" for the period of July 1, 2010, through June 30, 2011.
ADOPTED

100411 [Supporting Senate Bill 677 Regarding Human Trafficking]
Sponsors: Chu; Chiu
Resolution supporting Senate Bill 677 regarding Human Trafficking, allowing courts to seize any property used in the commission of human trafficking and adding civil penalties.
ADOPTED

100412 [Supporting Senate Bill 1108 Regarding Annual Small Business Participation Goal for State Funded Contracts]
Sponsor: Chiu
Resolution supporting Senate Bill 1108 to codify Governor Schwarzenegger's Executive Order S-02-06 to ensure that the State continues to meet or exceed the 25 percent overall annual small business participation goal for state funded contracts.
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier
Absent: 1 - Daly

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Mirkarimi requested that File No. 100408 be severed so that it may be considered separately.

100408 [MUNI Youth Lifeline Discount Pass]
Sponsors: Mirkarimi; Maxwell, Chiu, Dufty and Mar
Resolution requesting the San Francisco Municipal Transportation Agency to create a Youth Lifeline Discount Fast Pass for qualified low-income youth.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier
Absent: 1 - Daly

Supervisor Maxwell requested that File Nos. 100413 and 100414 be severed so that they may be considered separately.

100413 [Meat-Free Mondays]
Sponsors: Maxwell; Mar
Resolution declaring every Monday as "Vegetarian Day" to urge all restaurants, grocery stores, and schools to offer a variety of plant based options to improve the health of San Francisco residents.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier
Absent: 1 - Daly

100414 [Commending San Francisco Businesses that Use Only Cage-Free Eggs]
Sponsors: Maxwell; Mar
Resolution commending businesses in San Francisco that use only cage-free eggs, and encouraging all businesses to join them in going cage-free.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier
Absent: 1 - Daly

IMPERATIVE AGENDA

Supervisor Daly was noted present at 3:20 p.m.

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Dufty, seconded by Supervisor Daly, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Dufty, seconded by Supervisor Daly, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

100425 **[Declaring April 6, 2010, as Laura Spanjian Day in the City and County of San Francisco]**
Sponsor: Dufty
Resolution declaring April 6, 2010, as Laura Spanjian Day in the City and County of San Francisco and congratulating Laura Spanjian for her service and dedication to the City and County of San Francisco.

The President inquired as to whether any member of the public wished to address the Board relating to Laura Spanjian Day referenced in File No. 100425. Ed Harrington, General Manager of the San Francisco Public Utilities Commission, shared in congratulating Laura for her service to the City and County of San Francisco. Abdullah Megaheed, shared in congratulating Laura for her dedication. There were no other speakers. The President declared public comment closed.

ADOPTED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Excused: 1 - Alioto-Pier

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

Ordinances

100427 **[Barring the Use of Certain Pesticides for Weed Abatement]**
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Environment Code by amending Section 307, to bar the Department of Environment from granting exemptions from the ban on the use of certain pesticides by City departments, where the intended use of the pesticide is solely or primarily for weed abatement, and making environmental findings.

04/06/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/5/2010.

100434 [Castro Street Neighborhood Commercial District – Conditional Use Requirements for Restaurants and Self-Service Specialty Food Establishments]
Sponsor: Dufty
Ordinance amending the San Francisco Planning Code by amending Section 715.1 and Sections 715.42, 715.43, 715.44, and 715.69A of the Zoning Control Table to allow new full-service and small self-service restaurants with a conditional use authorization, to permit self-service specialty food establishments as of right, and to prohibit all large fast food establishments; adopting findings, including environmental findings; amending Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

04/06/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/6/2010

100437 [Standards of Care for City Shelters and Powers and Duties of the Shelter Monitoring Committee]
Sponsors: Mar; Campos
Ordinance amending the San Francisco Administrative Code by amending Chapter 20, Sections 20.304, 20.401, 20.403, 20.404, and 20.405, to: 1) amend City requirements in the delivery of shelter services to, among other things, expand reservation capability at shelters; 2) provide additional training to shelter staff; and ensure case management services for shelter clients in need; and 3) require the Shelter Monitoring Committee to track refusals of shelter beds and authorize the Committee to initiate investigations into alleged violations of contractual obligations imposed by Chapter 20.

04/06/10; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 5/5/2010.

100455 [San Francisco Safe Drug Disposal Ordinance]
Sponsor: Mirkarimi
Ordinance amending the San Francisco Environment Code by adding Chapter 22, Sections 2201 through 2210, to require any person who produces a drug offered for sale in San Francisco to participate in an approved drug stewardship program for the collection and disposal of unwanted drugs from residential sources, and to provide for implementation, enforcement, fees, and penalties, and making environmental findings.

04/06/10; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 5/6/2010.

Resolutions

100425 [Declaring April 6, 2010, as Laura Spanjian Day in the City and County of San Francisco]
Sponsor: Dufty
Resolution declaring April 6, 2010, as Laura Spanjian Day in the City and County of San Francisco and congratulating Laura Spanjian for her service and dedication to the City and County of San Francisco.

04/06/10; RECEIVED AND ASSIGNED to Board of Supervisors.

04/06/10; ADOPTED.

100428 [Endorsement of Term Sheet with the Treasure Island Homeless Development Initiative]
Sponsors: Mayor; Daly, Chiu and Dufty
Resolution endorsing the Term Sheet for the Amended and Restated Base Closure Homeless Assistance Agreement with the Treasure Island Homeless Development Initiative.
04/06/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100429 [Endorsement of Terms of Economic Development Conveyance Memorandum of Agreement for Treasure Island]
Sponsors: Mayor; Daly, Chiu and Dufty
Resolution endorsing the Terms of Economic Development Conveyance Memorandum of Agreement for the Transfer of Former Naval Station Treasure Island from the United States Government to the Treasure Island Development Authority.
04/06/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100430 [Ten Year Capital Expenditure Plan - FYs2011-2020]
Sponsors: Mayor; Chiu
Resolution adopting the City's ten year capital expenditure plan for FYs2011-2020.
04/06/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100431 [Accept and Expend Grant - Recovery Act Justice Assistance Grant - $963,198]
Sponsors: Mayor; Dufty and Mirkarimi
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $963,198 from the California Emergency Management Agency, to assist with a project entitled "Recovery Act Justice Assistance Grant" for the period of October 1, 2009, through March 31, 2011.
04/06/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100433 [Accept and Expend Grant - San Francisco Drug Elimination Team - $533,810]
Sponsor: Chu
Resolution authorizing the Department of Children, Youth & Their Families, to retroactively accept and expend grant funding in the amount of $533,810 from the California Emergency Management Agency to fund the San Francisco Drug Elimination Team, a multi-disciplinary partnership, comprised of the San Francisco Police Department, the District Attorney's Office, and the Adult Probation Department for the period of July 1, 2009, through June 30, 2010.
04/06/10; RECEIVED AND ASSIGNED to Public Safety Committee.

100432 [Endorsement of Update to Development Plan and Term Sheet for the Redevelopment of Treasure Island]
Sponsors: Mayor; Daly, Chiu and Dufty
Resolution endorsing the Update to Development Plan and Term Sheet for the Redevelopment of Former Naval Station Treasure Island with Treasure Island Community Development, LLC.
04/06/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100435 [Accept and Expend Grant - Substance Abuse Offender Treatment Program - $370,182]

Sponsor: Dufty

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the California Department of Alcohol and Drug Programs in the amount of $370,182 to fund the Substance Abuse Offender Treatment Program for the period July 1, 2009, through June 30, 2010.

04/06/10; RECEIVED AND ASSIGNED to Public Safety Committee.

100436 [Amendment to the Design Agreement for the Laguna Honda Hospital Replacement Program - $50,799,281]

Sponsor: Elsbernd

Resolution authorizing the Director of Public Works to execute an amendment to the design agreement for the Laguna Honda Hospital Replacement Program increasing the contract amount from $44,633,529 to $50,799,281.
(Fiscal Impact.)

04/06/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100459 [Supporting Senate Bill 1140 Regarding Allowing Voters to Register and Vote Up to and Including Election Day]

Sponsors: Campos; Mar

Resolution supporting Senate Bill 1140 to delete the arbitrary timelines which prevent eligible citizens from voting in elections by allowing voters to register and vote up to and including election day.

04/06/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100460 [Urging the California Department of Corrections and Rehabilitations to Implement Guidelines to Ensure Voting Access for Eligible Offenders]

Sponsor: Mirkarimi

Resolution urging the California Department of Corrections and Rehabilitation's Corrections Standard Authority to adopt specific guidelines for County Sheriff's and Department of Corrections, in order to facilitate voting among eligible incarcerated individuals.

04/06/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100461 [Commending the Golden Gate Yacht Club and BMW ORACLE Racing Team on Winning the 33rd America's Cup and Urging the City to Host the 34th America's Cup]

Sponsors: Mirkarimi; Dufty, Maxwell, Chiu, Mar, Chu, Elsbernd and Alioto-Pier

Resolution commending San Francisco's Golden Gate Yacht Club and BMW ORACLE Racing team, directing the Clerk of the Board to send a congratulatory letter regarding their significant achievement of winning the 33rd America's Cup, and urging the City to work diligently on a plan for a San Francisco waterfront venue to host the 34th America's Cup.

04/06/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100462 [Regulations to Ensure that Reusable Bags are Suitably Durable and Do Not Contribute to the Landfill Waste Stream]

Sponsor: Mirkarimi

Resolution requesting the Director of Department of Environment, under the authority of Section 1704, of Chapter 17, of the San Francisco Municipal Environment Code, to promulgate new, or amend existing, regulations to ensure that reusable bags are suitably durable and do not contribute to the landfill waste stream.

04/06/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100464 [Supporting Assembly Bill 2511 Regarding Limiting Annual Percentage Rate of Payday Loans]

Sponsors: Chiu; Campos

Resolution supporting Assembly Bill 2511 regarding limiting the annual percentage rate of payday loans to customers receiving unemployment benefits.

04/06/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Request for Hearing

100457 [Comprehensive Annual Financial Report, Single Audit, and Management Letters Related to the City Audit for FY2008-2009]
Sponsor: Mar
Hearing for the City's external auditors, Macias Gini and O'Connell and KPMG, to present the Comprehensive Annual Financial Report, Single Audit, and their management letters related to the City audit for FY2008-2009.

04/06/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Introduced by President at Request of Department

PROPOSED RESOLUTIONS

100351 [Airport 2011 Lease and Use Agreements with Various Airlines]
Resolution approving a term of twenty five (25) new Lease and Use Agreements between the City and County of San Francisco and various airlines, effective July 1, 2011, to allow such airlines to conduct domestic and international flight operations at the San Francisco International Airport. (Airport Commission)
(Fiscal Impact.)

03/31/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100352 [Airline and Airport Lease and Use Agreement Modifications and Lease and Operating Agreement Modifications with Various Airlines]
Resolution approving modifications to the terms of eight (8) Airline and Airport Lease and Use Agreements and eleven (11) Lease and Operating Agreements between the City and County of San Francisco and various airlines to allow such airlines to modify the rental of terminal space and modify the terms of one (1) Airline and Airport Lease and Use Agreement to allow for early termination of said Lease and Use Agreement. (Airport Commission)

03/26/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100386 [Approval to Award Restaurant Lease Between the Port of San Francisco and D & G Company, LLC, Doing Business as Lou's Pier 47]
Resolution approving Port Commission Restaurant Lease No. L-14630 with D & G Company, LLC, doing business as Lou's Pier 47, for certain real property at 300 Jefferson Street located in Fisherman's Wharf in the City and County of San Francisco for a term of fifteen and one half (15 1/2) years, plus a five (5) year extension option. (Port)

02/23/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100387 [Contract Amendment with G4S Justice Services, LLC, for Electronic Monitoring Services - Not to Exceed $1,425,000]

Resolution authorizing the Sheriff's Department to enter into a First Amendment to the Agreement between the City and County and G4S Justice Services, LLC, (formerly known as G4S Justice Services, Inc.) to increase the contract amount from $750,000 to an amount not to exceed $1,425,000. (Sheriff)

03/29/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100388 [Approving County Refugee Services Plan for Federal FY2009-2010]

Resolution approving the City and County of San Francisco's Refugee Services Annual Plan for Federal FY2009-2010. (Human Services Department)

03/29/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100389 [Professional Services Agreement - Energy Efficiency, Renewable Energy and Climate Change with ICF International - $19,000,000]

Sponsor: Mirkarimi

Resolution approving a Professional Services Agreement with ICF International for Energy Efficiency, Renewable Energy, and Climate Professional Services at a total cost of $19,000,000. (Environment)

03/29/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Chiu
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation permitting the City to revoke permits for entertainment venues when those venues have been proven to be associated with violence.

From: Supervisor Chiu
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation requiring entertainment event promoters to register with the City and meet certain regulatory requirements.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following newsstands.

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irvine and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Masonic

SF Daily
Northwest corner of Hayes and Gough
City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes
Northeast corner Oak & Scott
Southeast corner Divisadero & Fell

Southeast corner Hayes & Shrader
Southeast corner Central & Hayes
Southeast corner Divisadero & Fulton
Southwest corner Oak & Divisadero
Southwest corner Steiner & Haight

Bus Shelters
Southeast corner Stanyan & Oak
Southeast corner Masonic & Hayes
Northeast corner Pierce & Hayes
Southwest corner McAllister & Haight
Northwest corner Haight & Baker
Fillmore and Haight (all 4 bus stops, graffiti and grime)
Southwest corner Buchanan & Oak

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Wood Pole
Northwest corner Ivy & Gough

Metal Pole
Southeast corner Clayton & Hayes
Northeast corner Divisadero & Haight
In front of 244 Fillmore
In front of 332 Haight
Northwest corner Fillmore & Waller

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
Northeast corner Lyon & Hayes
Southeast corner Haight & Buena Vista East
Southwest corner Haight & Buchanan
Southeast corner Buena Vista West & Haight
Southeast corner Hayes & Buchanan
Southwest corner Cole & Haight

Mailboxes
Northwest Baker & Haight
Southeast Cole & Hayes

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

312 Divisadero
428 Haight
295 Laguna
333 Haight
221 Oak

1369 Haight
670 Stanyan
1964 Hayes
442 Haight

In Memoriams

Vince Tringali – Supervisor Elsbernd
August J.P. Longo – Entire Board
Al Ross – Supervisor Chu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 3:46 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 4, 2010.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 16 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, April 13, 2010 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos	Wednesday 1:30 PM
Budget and Finance Sub-Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Dufty	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: Michela Alioto-Pier, John Avalos, David Campos, David Chiu, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar, Sophie Maxwell and Ross Mirkarimi

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:05 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Campos, moved to approve the Board Meeting Minutes of March 16, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

100147 [2010 Annual Fundraising Drive]
Resolution designating those agencies qualified to participate in the 2010 Annual Joint Fundraising Drive for officers and employees of the City and County of San Francisco.

ADOPTED

100325 [Approving Sixth Modification to Water Supply Contract]
Resolution approving a sixth modification to the water supply contract (Contract No. EY-76-C-03-0269), between the City and County of San Francisco and the Department of Energy, pursuant to Charter Section 9.118. (Public Utilities Commission)

ADOPTED

Recommendations of the Land Use and Economic Development Committee

091453 [Planning Code Amendment – Green Landscaping Ordinance]
Sponsors: Mayor; Chu, Dufty, Mar and Maxwell
Ordinance amending various sections of the Planning Code to address screening, greening, street tree, and permeability requirements; creating definitions for "vehicle use area," "ornamental fencing," and "permeable surface;" amending the Public Works Code Sections 805, 806 and 807 to create requirements for the establishment of new street trees, replacement of dead street trees, and removal of street trees and adding Section 802.1 to define climate appropriate standards for plantings in the public right-of-way; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

FINALLY PASSED

091476 [Zoning Map Amendments - Market and Octavia Area Plan Historic Resource Survey Integration]
Ordinance amending the Zoning Map Sheets 7 and 7H of the City and County of San Francisco Planning Code to amend certain height and bulk districts within the Market and Octavia Area Plan to increase, decrease, or retain the heights of certain parcels, consistent with the findings of the Market and Octavia Area Plan Historic Resources Survey, specifically increasing or decreasing heights on some parcels in the Upper Market Street Historic District (an area generally described as Market Street between Church and Noe Streets) and decreasing heights on two parcels at the corner of Guerrero and Duboce Streets (also known as Assessors block and lot numbers 3501004 and 3501003); and adopting environmental findings and findings of consistency with the General Plan and the eight priority policies of Planning Code Section 101.1. (Planning Department)

FINALLY PASSED

100093 [Housing Code – Residential Hotel Notice Posting Requirement]
Sponsors: Campos; Chiu and Maxwell
Ordinance amending the San Francisco Housing Code by amending Section 1002 to add subsection (f) requiring residential hotel owners/operators to post a notice advising hotel occupants that they may telephone the City's Customer Service Center at 311 to report alleged violations of the Housing Code; adopting findings, including environmental findings.

FINALLY PASSED

100102 [Requiring the Development and Maintenance of Stormwater Management Controls]
Sponsors: Mayor; Maxwell, Mar, Chiu, Dufty and Mirkarimi
Ordinance amending the San Francisco Public Works Code by repealing Article 4.2, Sections 140 - 149.4, and adding Article 4.2, Sections 147 - 147.6, requiring the development and maintenance of stormwater management controls for specified activities that disturb 5,000 square feet or more of the ground surface, and are subject to building, planning and subdivision approvals.

Supervisor Mirkarimi requested to be added as a co-sponsor.

FINALLY PASSED

100265 [Urging the Treasury Oversight Committee to Ratify Socially Responsible Investment Goals in the City's Investment Policy to Encourage Investments Related to Foreclosure Mitigation]

Sponsors: Chiu; Mar and Maxwell

Resolution urging the Treasury Oversight Committee to ratify socially responsible investment goals in the City's Investment Policy to encourage investments related to foreclosure mitigation.

ADOPTED

Recommendations of the Rules Committee

100392 [Appointments, Eastern Neighborhoods Citizens Advisory Committee - Toby Levy and Henry Karnilowitz]

Motion appointing Toby Levy and Henry Karnilowitz, terms to be determined, to the Eastern Neighborhoods Citizens Advisory Committee. (Clerk of the Board)

Toby Levy, seat 10, new appointment, must be appointed by the Western SoMa Planning Area Task Force and confirmed by the full Board, for a term to be determined.

Henry Karnilowitz, seat 11, new appointment, must be appointed by the Western SoMa Planning Area Task Force and confirmed by the full Board, for a term to be determined.

APPROVED

100393 [Appointment, Market and Octavia Community Advisory Committee - Marius Starkey]

Motion appointing Marius Starkey, term ending December 16, 2010, to the Market and Octavia Community Advisory Committee. (Clerk of the Board)

Marius Starkey, seat 1, succeeding Julian Davis, resigned, must be a resident renter and live or work within the Plan area, for the unexpired portion of a two-year term ending December 16, 2010.

APPROVED

100394 [Appointment, Local Homeless Coordinating Board - Erick Brown]

Motion appointing Erick Brown, term ending October 21, 2010, to the Local Homeless Coordinating Board. (Clerk of the Board)

Erick Brown, seat 4, succeeding Ginger Martin, resigned, must be a representative of homeless or formerly homeless, community and advocacy organizations, service-provider agencies, business and corporate sectors or the foundation community, for the unexpired portion of a five-year term ending October 21, 2010.

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

REGULAR AGENDA

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

100337 [Appropriating $1,647,249,198 of Proceeds from Debt for the Water System Improvement Program at the Public Utilities Commission for FY2010-2011 through FY2015-2016]

Sponsor: Mayor

Ordinance appropriating $1,647,249,198 of proceeds from debt for the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP) for FY2010-2011 through FY2015-2016, and placing the entire appropriation of $1,647,249,198 by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act (CEQA), where required, and receipt of proceeds of indebtedness, placing on Budget and Finance Committee reserve the funds for construction costs of any project with costs in excess of $100,000,000 and $116,863,924 related to funding for project construction starting after June 30, 2012, and adopting environmental findings.
(Fiscal Impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100341 [Water Revenue Bond Issuance - Not to Exceed $1,737,724,038]

Sponsor: Mayor

Ordinance approving the issuance and sale of water revenue bonds by the San Francisco Public Utilities Commission to finance various projects under the Water System Improvement Program and the Capital Improvement Program, including but not limited to the Commission's Advanced Meter Infrastructure System, pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100400 [Waiver of Temporary Street Space Occupancy Fee on May 15, 2010, for Small Business Week Sidewalk Sale]

Sponsors: Mirkarimi; Chiu, Chu and Campos

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 15, 2010, as part of Small Business Week.

Supervisor Campos requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100331 [Approving Central Subway Final Design Contract Package - Not to Exceed $32,294,319]

Sponsor: Chu

Resolution approving Municipal Transportation Agency Contract No. CS-155-3, Professional Architectural and Engineering Services for the Final Design and Construction Support of the Central Subway Project - Design Package No. 3 Systems Design for the Central Subway Project with HNTB - B&C JV, a joint venture of HNTB Corporation and B&C Transit, Inc. for an amount not to exceed $32,294,319 for a term not to exceed ten years with an option to extend the term an additional two years.

(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

From Budget and Finance Sub-Committee Without Recommendation

100373 [Authorizing Expenditures from South of Market Community Stabilization Fund - $1,844,273]
Sponsor: Daly
Resolution approving the 2010 South of Market Community Stabilization Fund Program and authorizing the Mayor's Office of Housing to expend South of Market Community Stabilization Fund dollars in the amount of $1,844,273.
(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 1 - Elsbernd

Recommendation of the Budget and Finance Committee

100248 [Creation of General Reserve and Budget Stabilization Reserve]
Sponsors: Chiu; Mayor, Chu and Mirkarimi
Ordinance amending the San Francisco Administrative Code by adding Section 10.60, to adopt a binding financial policy under Charter Section 9.120 creating a General Reserve and a Budget Stabilization Reserve and providing rules for deposits to and withdrawals from such funds.
(Controller)

Supervisors Chu and Mirkarimi requested to be added as co-sponsors.

PASSED ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendations of the Land Use and Economic Development Committee

091271 [Zoning – Street Frontages for Most Use Districts]
Sponsors: Mirkarimi; Mar
Ordinance amending the San Francisco Planning Code by amending Sections 145.1, 201, 243, 261.1, and 270.2 to create a comprehensive and consistent set of street frontage controls for most use districts that allow a mix of uses; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100008 [Permit and License Fee Elimination]
Sponsors: Chiu; Mar
Ordinance amending San Francisco Business and Tax Regulations Code Sections 248 and 249.1, amending San Francisco Police Code Sections 2.26 and 2.27, and repealing San Francisco Police Code Section 2.28, all to eliminate certain permit and license fees and revenue fees, while retaining any underlying permitting, licensing, and other substantive regulatory requirements.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendation of the Public Safety Committee

100268 [Accept and Expend Grant - Edward Byrne Memorial Justice Assistance and Amend Annual Salary Ordinance FY2009-2010 - $729,932]
Sponsor: Mayor
Ordinance authorizing the Department of Children, Youth & Their Families to retroactively accept and expend grant funding in the amount of $729,932 from the Federal Department of Justice, Office of Justice Programs for implementation of criminal justice programs; and amending the Annual Salary Ordinance No. 183-09 for FY2009-2010 to reflect the addition of one Class 1822 grant-funded position (0.50 FTE) at the Department of Children, Youth & Their Families and one Class 2910 grant-funded position (0.50 FTE) at the Public Defender's Office.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendation of the Rules Committee

100204 [Americans with Disabilities Act - Reasonable Modification Policy]
Sponsors: Alioto-Pier; Mar, Campos, Chiu and Mirkarimi
Ordinance adding Administrative Code Section 2A.22.3 to adopt a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

Supervisors Chiu and Mirkarimi requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Alioto-Pier introduced, welcomed, and presented a Certificate of Honor to Manfred Richter in recognition of his accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.

100252 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 100 - 32nd Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 19, 2009, Case No. 2007.0129E, that a project located at 100 - 32nd Avenue is exempt from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Section 15301(e)(1)). The proposal would add a three-story side horizontal addition and would enlarge the existing partial fourth floor at the existing four-story, single-family residence located in an RH-1(D) (Residential, House, Single-Family, Detached) District and a 40-X Height and Bulk District, in Assessor's Block No. 1312, Lot No. 008. (District 2) (Appellant: Stephen M. Williams on behalf of Sanford Garfinkel, other neighbors, and the Lincoln Park Neighborhood Association) (Clerk of the Board)

(Filed March 1, 2010; Companion Measure to File Nos. 100253, 100254, 100255.)

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED to May 11, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Campos, seconded by Supervisor Elsbernd, moved to rescind the previous vote. The motion carried by the following vote:

Ayes: 11 – Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

The President inquired as to whether any member of the public wished to address the Board relating to the proposed continuance to May 11, 2010. There were no speakers. The President continued the public hearing open to May 11, 2010.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Hearing be CONTINUED to May 11, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100253 [Affirming the Exemption Determination for 100 – 32nd Avenue]
Motion affirming the determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED to May 11, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100254 [Reversing the Exemption Determination Issued for 100 – 32nd Avenue]
Motion reversing the determination by the Planning Department that the 100 - 32nd Avenue project is exempt from environmental review.

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED to May 11, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100255 [Preparation of Findings Related to the Exemption Determination for the 100 – 32nd Avenue Project]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved that this Motion be CONTINUED to May 11, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

SPECIAL ORDER 4:00 P.M.

100288 [Public Hearing - Appeal of Determination of Statutory Exemption from Environmental Review for San Francisco Municipal Transportation Agency Transit Service Reductions and Related Fiscal Emergency]
Hearing of persons interested in or objecting to the decision of the Planning Department's determination dated February 4, 2010, Case No. 2010.0060E, that the San Francisco Municipal Transportation Agency transit service reductions and related fiscal emergency are statutorily exempt from environmental review as provided in California Public Resources Code Section 21080.32 and California Environmental Quality Act (CEQA) Guidelines Section 15285. (Appellant: David Pilpel)
(Filed March 2, 2010; Companion Measure to File Nos. 100289, 100290, 100291.)

The President inquired as to whether any member of the public wished to address the Board. David Pilpel (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Zack Stewart; Jerry Gruffin; Michael Chesney; Dorian Maxwell; Richard Becker; Colleen Bernal; Howard Wong; Male Speaker; Female Speaker; spoke in support of the appeal. Viktoriya Wise and Bill Wycko (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Sonali Bose (MTA) provided an overview of the service reductions and related fiscal emergency and responded to questions raised throughout the discussion. Kate Stacy (City Attorney's Office) responded to questions raised throughout the discussion. Female Speaker; spoke in support of the decision of the Planning Department and in opposition to the appeal. David Pilpel (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

100289 [Affirming the Statutory Exemption Determination for the San Francisco Municipal Transportation Agency Fiscal Emergency]

Motion affirming the determination by the Planning Department that the San Francisco Municipal Transportation Agency decision to implement service reductions is statutorily exempt from environmental review.

Supervisor Campos, seconded by Supervisor Daly, moved that this Motion be TABLED. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Campos, Daly, Mar

Noes: 7 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi

Supervisor Chu, seconded by Supervisor Dufty, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell

Noes: 5 - Avalos, Campos, Daly, Mar, Mirkarimi

100290 [Reversing the Statutory Exemption Determination for the San Francisco Municipal Transportation Agency Service Reductions]

Motion reversing the determination by the Planning Department that the San Francisco Municipal Transportation Agency decision to implement service reductions is statutorily exempt from environmental review. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Campos, Daly, Mar

Noes: 7 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi

Supervisor Chu, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell

Noes: 5 - Avalos, Campos, Daly, Mar, Mirkarimi

100291 [Preparation of Findings Related to the Exemption Determination for the San Francisco Municipal Transportation Agency Service Reductions]

Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the San Francisco Municipal Transportation Agency decision to implement service reductions is exempt from environmental review. (Clerk of the Board)

Supervisor Campos, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion FAILED by the following vote:

Ayes: 4 - Avalos, Campos, Daly, Mar

Noes: 7 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell, Mirkarimi

Supervisor Chu, seconded by Supervisor Dufty, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd, Maxwell

Noes: 5 - Avalos, Campos, Daly, Mar, Mirkarimi

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdullah Megaheed; expressed various concerns in Arabic and English.
James Chaffee; expressed concerns relating to the SF Public Library.
Male Speaker; expressed concerns relating to treatment of disabled seniors.
Richard McRee; expressed concerns relating to technology, inventions and patents.
Dave Snyder; expressed various concerns.
Christopher Dahl; expressed concerns relating to MUNI service.
Walter Paulson; shared in song certain concerns with the Board.
Otto Duffy; expressed various concerns.
Ace Washington; spoke regarding interviewing the Mayor.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

100462 [Regulations to Ensure that Reusable Bags are Suitably Durable and Do Not Contribute to the Landfill Waste Stream]

Sponsor: Mirkarimi

Resolution requesting the Director of Department of Environment, under the authority of Section 1704, of Chapter 17, of the San Francisco Municipal Environment Code, to promulgate new, or amend existing, regulations to ensure that reusable bags are suitably durable and do not contribute to the landfill waste stream.

ADOPTED

100464 [Supporting Assembly Bill 2511 Regarding Limiting Annual Percentage Rate of Payday Loans]

Sponsors: Chiu; Campos

Resolution supporting Assembly Bill 2511 regarding limiting the annual percentage rate of payday loans to customers receiving unemployment benefits.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Elsbernd requested that File No. 100459 be severed so that it may be considered separately.

100459 [Supporting Senate Bill 1140 Regarding Allowing Voters to Register and Vote Up to and Including Election Day]

Sponsors: Campos; Mar

Resolution supporting Senate Bill 1140 to delete the arbitrary timelines which prevent eligible citizens from voting in elections by allowing voters to register and vote up to and including election day.

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Resolution be CONTINUED to April 20, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Mirkarimi requested that File Nos. 100460 and 100461 be severed so that they may be considered separately.

100460 [Urging the California Department of Corrections and Rehabilitations to Implement Guidelines to Ensure Voting Access for Eligible Offenders]

Sponsor: Mirkarimi

Resolution urging the California Department of Corrections and Rehabilitation's Corrections Standard Authority to adopt specific guidelines for County Sheriff's and Department of Corrections, in order to facilitate voting among eligible incarcerated individuals.

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Resolution be AMENDED on Page 2, Line 4, by adding 'county' before 'departments.' The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100461 [Commending the Golden Gate Yacht Club and BMW ORACLE Racing Team on Winning the 33rd America's Cup and Urging the City to Host the 34th America's Cup]

Sponsors: Mirkarimi; Dufty, Maxwell, Chiu, Mar, Chu, Elsbernd and Alioto-Pier

Resolution commending San Francisco's Golden Gate Yacht Club and BMW ORACLE Racing team, directing the Clerk of the Board to send a congratulatory letter regarding their significant achievement of winning the 33rd America's Cup, and urging the City to work diligently on a plan for a San Francisco waterfront venue to host the 34th America's Cup.

Supervisors Mar, Chu, Elsbernd, and Alioto-Pier requested to be added as co-sponsors.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

IMPERATIVE AGENDA

[Purely Commendatory Finding]
Motion that the Board find that the resolution(s) being considered at this time are purely commendatory.

Supervisor Mar, seconded by Supervisor Alioto-Pier, moved ADOPTION of the commendatory finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

[Brown Act Finding]
Motion that the Board find by roll call vote that, for the resolution(s) being considered at this time, there is a need to take immediate action. The need to take action came to the attention of the City and County of San Francisco after the agenda was posted.

Supervisor Mar, seconded by Supervisor Alioto-Pier, moved ADOPTION of the Brown Act finding. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100468 [Proclaiming April 10 through April 18, 2010, Week of the Young Child]
Sponsor: Mar
Resolution proclaiming April 10 through April 18, 2010, Week of the Young Child in recognition of San Francisco's child care providers.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

Ordinances

100469 [Recreation and Park Department – Botanical Garden Non-Resident Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.46, to establish admission fees to the Botanical Garden for non-San Francisco residents, and making environmental findings.

04/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100470 [Appropriating Surplus Revenues and Expenditures to Support Cost Overruns in the Department of Public Health for FY2009-2010 - $23,711,912]
Sponsor: Mayor
Ordinance appropriating $23,711,912, including appropriating $22,828,000 of surplus San Francisco General Hospital revenue and $7,500 of Laguna Honda Hospital revenues, de-appropriating $876,412 of Laguna Honda Hospital and non-hospital operations expenditures, to fund cost overruns in the Department of Public Health, including $16,280,391 at San Francisco General Hospital, $6,058,521 at Laguna Honda Hospital, and $1,373,000 in non-hospital operations, for FY2009-2010.
(Fiscal Impact.)

04/13/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100471 [Accept and Expend Grant - American Recovery and Reinvestment Act Energy Efficiency Projects and Amendment to the Annual Salary Ordinance, FY2009-2010 - $875,957]
Sponsors: Mayor; Dufty
Ordinance authorizing the Department of the Environment to expend a grant in the amount of $875,957 from the California Energy Commission's State Energy Program through the Association of Bay Area Governments for the deployment of energy efficiency projects in the City and County of San Francisco and amend Ordinance Number 183-09 to reflect the addition of three (3) grant funded positions in the Department of the Environment.

04/13/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100472 [Access Appeals Commission - Notice to the Mayor's Office of Disability]
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Building Code by adding Section 105A.3.10 to require that an agenda and packet of materials for each matter to be decided by the Access Appeals Commission shall be sent to the Mayor's Office of Disability at the same time and in the same manner as they are sent to the Commission members.

04/13/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 5/12/2010.

100488 [Recreation and Park Department - Coit Tower Non-Resident Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.06, to establish non-San Francisco Resident fees for the elevator at Coit Tower, and making environmental findings.

04/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Resolutions

100468 [Proclaiming April 10 through April 18, 2010, Week of the Young Child]
Sponsor: Mar
Resolution proclaiming April 10 through April 18, 2010, Week of the Young Child in recognition of San Francisco's child care providers.

04/13/10; ASSIGNED to Board of Supervisors.

04/13/10; ADOPTED.

100473 [Adopting Five Year Financial Plans Submitted by the Port and the Airport]
Sponsor: Mayor
Resolution adopting the five year financial plans submitted by the Port, the Airport, and the Public Utilities Commission under Charter Section 9.119.

04/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100474 [Accept and Expend Grant - American Recovery and Reinvestment Act GreenFinanceSF - $2,080,000]
Sponsors: Mayor; Dufty and Mirkarimi
Resolution amending Resolution No. 59-10 retroactively to substitute the Public Utilities Commission, for the Department of the Environment, as the department authorized to accept and expend a grant in the amount of $2,080,000 from the California Energy Commission's State Energy Program to provide financial assistance for GreenFinanceSF, the City and County of San Francisco's municipal financing program for energy and water retrofits of privately-owned buildings, and ratifying actions previously taken.

04/13/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100475 [Supporting Establishment of Statewide Extended Producer Responsibility System and Framework]
Sponsor: Mirkarimi
Resolution urging the California State Legislature to enact an extended producer responsibility framework, requesting the City and County of San Francisco's lobbying efforts include extended producer responsibility advocacy, authorizing the City to become a member of the California Product Stewardship Council and recommitting the City to the goals of the Environmentally Preferable Purchasing Ordinance.

100476 [Supporting Creation of and Declaring Asian Pacific Mental Health Day - May 10, 2010]
Sponsor: Mar
Resolution supporting the creation of Asian Pacific Mental Health Day on May 10, 2010, and each May 10 thereafter.

04/13/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100477 [Armenian Genocide Commemoration Day - April 24, 2010]
Sponsors: Elsbernd; Campos, Dufty, Alioto-Pier, Mar, Avalos, Chu, Maxwell, Mirkarimi, Daly and Chiu
Resolution declaring April 24, 2010, as Armenian Genocide Commemoration Day in San Francisco.

04/13/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100478 [Honoring Jane Morrison on the Occasion of her 90th Birthday]
Sponsors: Chiu; Mar
Resolution honoring Jane Morrison on the occasion of her 90th birthday.

04/13/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100479 [Commending Women's Sports Foundation Chief Executive Officer, Kathryn Olson]
Sponsor: Alioto-Pier
Resolution commending Kathryn Olson on her selection as Chief Executive Officer of the Women's Sports Foundation.

04/13/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

100480 [HOPE SF Program - Rebuilding Distressed Public Housing]
Sponsor: Maxwell
Hearing on the progress of the Hope San Francisco Program.

04/13/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100481 [Department of Aging and Adult Services Budget FY2010-2011]
Sponsor: Mar
Hearing on the Department of Aging and Adult Services Budget for FY2010-2011.

04/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100482 [Summer Programming Plans for School Children]
Sponsor: Dufty
Hearing to consider how we are addressing the need of programming and activities for youth in the City and County of San Francisco in the absence of summer school in 2010.

04/13/10; RECEIVED AND ASSIGNED to City and School District Select Committee.

100483 [Status of Parks and Associated Standards]
Sponsor: Chu
Hearing on the status of the City and County of San Francisco's parks, including findings from City Services Auditors' recent Park Standards Six-Month Report from 3-1-1 on number of service requests for park issues in each district/neighborhood and response time, a report from Recreation and Parks Department on the plan for continually low performing parks and equity in allocation of resources.

04/13/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100484 [Municipal Transit Agency Two-Year Budget for FY2010-2011 and FY2011-2012]
Sponsor: Chu
Hearing on the Municipal Transit Agency Two-Year Budget for FY2010-2011 and FY2011-2012.

04/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100486 [Status of Workforce Development through the Public Utilities Commission's Water System Improvement Project]
Sponsor: Avalos
Hearing on the status of workforce development and fulfillment of local hiring goals through the Public Utilities Commission's Water System Improvement Project.

04/13/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100487 [Update on the San Francisco Police Department Crime Lab]
Sponsors: Mirkarimi; Chiu
Hearing on the current status of the San Francisco Police Department Crime Lab, including information on the current backlog of DNA and drug testing, the budget of the crime lab, costs for outsourcing crime lab tasks, and a discussion of possible long-term solutions to create an effective and efficient crime lab.

04/13/10; RECEIVED AND ASSIGNED to Public Safety Committee.

100491 [Recreation and Park Department Budget FY2010-2011]
Sponsor: Alioto-Pier
Hearing to consider the impacts on the Recreation and Park Department FY2010-2011 Budget on neighborhoods in Districts 1, 2, 4, 5 and 7.

04/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by President at Request of Department

PROPOSED ORDINANCES

100421 [Settlement of Lawsuit - John Hartnett - $30,000]
Ordinance authorizing settlement of the lawsuit filed by John Hartnett against the City and County of San Francisco for $30,000; the lawsuit was filed on March 13, 2009, in San Francisco Superior Court, Case No. CGC-09-486142; entitled John Hartnett v. City and County of San Francisco et al. (City Attorney)

04/13/10; RECEIVED AND ASSIGNED to Rules Committee.

100438 [Settlement of Lawsuit - Michelle Cody - $105,000]
Ordinance authorizing settlement of the lawsuit filed by Michelle Cody against the City and County of San Francisco for $105,000; the lawsuit was filed on May 27, 2008, in San Francisco Superior Court, Case No. CGC-08-475697; entitled Michelle Cody v. City and County of San Francisco, et al. (City Attorney)

04/13/10; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

100419 [Airport Concession Lease with Wells Fargo Bank, N.A.]
Resolution approving the Domestic Terminals Automated Teller Machines Lease "A," between Wells Fargo Bank, N.A., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

03/30/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100420 [Airport Concession Lease with JPMorgan Chase Bank, N.A.]
Resolution approving the Domestic Terminals Automated Teller Machines Lease "B," between JPMorgan Chase Bank, N.A., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

04/13/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100439 [Settlement of Claim - Karin Novotna - $125,000]
Resolution approving the settlement of the unlitigated claim filed by Karin Novotna against the City and County of San Francisco for $125,000; claim was filed on November 19, 2009. (City Attorney)

04/13/10; RECEIVED AND ASSIGNED to Rules Committee.

100440 [Settlement of Claim - Pacific Gas and Electric Company - $97,957.70]
Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against Pacific Gas and Electric Company for $97,957.70; claim was filed on February 1, 2010. (City Attorney)

04/13/10; RECEIVED AND ASSIGNED to Rules Committee.

100441 [Approval of FY2010-2011 Expenditure Plan for the Human Services Care Fund]
Resolution approving the FY2010-2011 Expenditure Plan for the Human Services Care Fund. (Human Services Department)

04/13/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100442 [Contract Approval with Global Tel*Link for Inmate Telephone Services]
Resolution approving a contract for operating the Sheriff's Inmate Telephone Services, between Global Tel*Link and the City and County of San Francisco, acting by and through the Sheriff's Department. (Sheriff)

04/13/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irvine and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

350 Laguna
300 Buchanan
55 Laguna
424 Haight
533 Haight
525 Haight
312 Divisadero
428 Haight
295 Laguna
333 Haight
221 Oak
1369 Haight
670 Stanyan

1964 Hayes
442 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Wood Poles
Northwest corner Ivy & Gough
Northeast corner Waller & Steiner

Metal Poles
Southeast corner Clayton & Hayes
Northeast corner Divisadero & Haight
In front of 244 Fillmore
In front of 508 Haight
Northwest corner Fillmore & Waller

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes
Southeast corner Divisadero & Fell
Southeast corner Hayes & Shrader
Southeast corner Central & Hayes
Northeast corner Oak & Scott
Southeast corner Divisadero & Fulton
Southwest corner Oak & Divisadero
Southwest corner Steiner & Haight

Bus Shelters
Southeast corner Buchanan & Haight
Southeast corner Stanyan & Oak
Southeast corner Masonic & Hayes
Northeast corner Pierce & Hayes
Southwest corner McAllister & Haight
Northwest corner Haight & Baker
Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Box
Southwest corner Buchanan & Oak

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
Northeast corner Lyon & Hayes
Southeast corner Haight & Buena Vista East
Southwest corner Haight & Buchanan
Southeast corner Buena Vista West & Haight
Southeast corner Hayes & Buchanan
Southwest corner Cole & Haight

Mailboxes
Northwest Baker & Haight
Southeast Cole & Hayes

From: Supervisor Mirkarimi
To: Controller
Requesting/Inquiring: Requesting the Controller to review the City's investments to verify compliance with Board resolution 849-00, which resolved that the City would not purchase bonds issued by the International Bank for Reconstruction and Development (known as the World Bank) or invest money in any investment fund that holds World Bank bonds, with the exception of investments issued by and through the U.S. Treasury Bank.

From: Supervisor Avalos
To: Director, Public Utilities Commission
Requesting/Inquiring: Supervisor Avalos inquires of the Public Utilities Commission information regarding workforce development and implementation of local hiring policy.

Questions and background information attached to request.

From: Supervisor Daly
To: Office of Economic Analysis
Requesting/Inquiring: Supervisor Daly requests a report from the Office of Economic Analysis on the cumulative economic impact on San Francisco, including the impact on jobs, of the 10 pieces of legislation identified in the Chamber of Commerce's "2009 Paycheck and Pinkslips" survey compared to the economic impact on San Francisco of the financial meltdown and recession stemming from deregulation of markets and the "subprime mortgage crisis".

Background information attached to request.

In Memoriams

President Lech Kaczynski and victims of the Polish plane crash – Supervisor Mar
Chief Wilma Mankiller – Supervisor Mar
Rita D'Amico – Supervisors Dufty and Elsbernd

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 6:08 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 11, 2010.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 16 2011

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Tuesday, April 20, 2010 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos	Wednesday 1:30 PM
Budget and Finance Sub-Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Dufty	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: Michela Alioto-Pier, John Avalos, David Campos, David Chiu, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar and Ross Mirkarimi

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:17 p.m. On the call of the roll, Supervisor Maxwell was noted absent. There was a quorum.

Supervisor Maxwell Excused from Voting

Supervisor Campos, seconded by Supervisor Chu, moved that Supervisor Maxwell be excused from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Avalos, seconded by Supervisor Alioto-Pier, moved to approve the Board Meeting Minutes of March 23, 2010. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

COMMUNICATIONS

There were none.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

President, David Chiu, inquired if the Mayor would make an appearance before the Board of Supervisors. Starr Terrell, the Mayor's Liaison to the Board of Supervisors, indicated the Mayor would not be present.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

100337 [Appropriating $1,647,249,198 of Proceeds from Debt for the Water System Improvement Program at the Public Utilities Commission for FY2010-2011 through FY2015-2016]

Sponsor: Mayor

Ordinance appropriating $1,647,249,198 of proceeds from debt for the San Francisco Public Utilities Commission (SFPUC) Water System Improvement Program (WSIP) for FY2010-2011 through FY2015-2016, and placing the entire appropriation of $1,647,249,198 by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act (CEQA), where required, and receipt of proceeds of indebtedness, placing on Budget and Finance Committee reserve the funds for construction costs of any project with costs in excess of $100,000,000 and $116,863,924 related to funding for project construction starting after June 30, 2012, and adopting environmental findings.
(Fiscal Impact.)

FINALLY PASSED

100341 [Water Revenue Bond Issuance - Not to Exceed $1,737,724,038]

Sponsor: Mayor

Ordinance approving the issuance and sale of water revenue bonds by the San Francisco Public Utilities Commission to finance various projects under the Water System Improvement Program and the Capital Improvement Program, including but not limited to the Commission's Advanced Meter Infrastructure System, pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

FINALLY PASSED

100400 [Waiver of Temporary Street Space Occupancy Fee on May 15, 2010, for Small Business Week Sidewalk Sale]

Sponsors: Mirkarimi; Chiu, Chu and Campos

Ordinance waiving the fee in Public Works Code Section 724.1(b) for temporary street space occupancy in certain sections of the City on Saturday, May 15, 2010, as part of Small Business Week.

FINALLY PASSED

100312 [Airport Concession – Terminal 2 Gourmet Market and Wine Bar Lease with D-Lew Enterprise, LLC]

Resolution approving a Terminal 2 Gourmet Market and Wine Bar lease between D-Lew Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

ADOPTED

100313 [Airport Concession – Terminal 2 Quick Serve Lease with BJ Annex, LLC]
Resolution approving the Terminal 2 Quick Serve lease between BJ Annex, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
ADOPTED

100314 [Airport Concession – Terminal 2 Cocktail Lounge Lease with HBF Soto JV, LLC]
Resolution approving the Terminal 2 Cocktail Lounge lease between HBF Soto JV, LLC, and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
ADOPTED

100316 [Airport Concession – Terminal 2 Quick Serve Lease with Sankaku, Inc.]
Resolution approving the Terminal 2 Quick Serve Lease between Sankaku, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
ADOPTED

100317 [Airport Concession – Terminal 2 Sit-Down Restaurant Lease with D-Lew Enterprises, LLC]
Resolution approving a Terminal 2 Sit-Down Restaurant Lease between D-Lew Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
ADOPTED

100318 [Airport Concession – Terminal 2 Bakery and Coffee Facilities Lease with Gotham Enterprises, LLC]
Resolution approving a Terminal 2 Bakery and Coffee Facilities Lease between Gotham Enterprises, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
ADOPTED

100319 [Airport Concession – Terminal 2 Quick Serve Lease with Andale Management Group, Inc.]
Resolution approving the Terminal 2 Quick Serve Lease, between Andalé Management Group, Inc. and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
ADOPTED

100320 [Airport Concession – Terminal 2 Quick Serve Lease with HBF Soto JV, LLC]
Resolution approving the Terminal 2 Quick Serve Lease, between HBF Soto JV, LLC and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)
ADOPTED

100398 [Accept and Expend Grant - AIDS Office Space Renovation - $9,508,907]
Sponsors: Mayor; Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the National Institutes of Health in the amount of $9,508,907 to fund the AIDS Office Space Renovation for the period March 4, 2010, through March 3, 2015.
ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

100309 [Liquor License - 450 Florida Street]
Resolution determining that the issuance of a Type 64 Special On-Sale General Theater Liquor License, for Lisa Steindler for the Z Space Studio dba Z Space located at 450 Florida Street (District 6), will serve the public convenience or necessity of the people of the City and County of San Francisco, in accordance with Section 23958.4 of the California Business and Professions Code, with conditions.
ADOPTED

100388 [Approving County Refugee Services Plan for Federal FY2009-2010]
Resolution approving the City and County of San Francisco's Refugee Services Annual Plan for Federal FY2009-2010. (Human Services Department)
ADOPTED

100342 [Accept and Expend Gift - Hayes Valley Playground Project - $1,500,000]
Sponsors: Mayor; Mirkarimi
Resolution accepting and expending a gift valued up to $1,500,000 from The Trust for Public Land to the Recreation and Parks Department for the Hayes Valley Playground Project.
ADOPTED

Recommendations of the Land Use and Economic Development Committee

091271 [Zoning – Street Frontages for Most Use Districts]
Sponsors: Mirkarimi; Mar
Ordinance amending the San Francisco Planning Code by amending Sections 145.1, 201, 243, 261.1, and 270.2 to create a comprehensive and consistent set of street frontage controls for most use districts that allow a mix of uses; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.
FINALLY PASSED

100008 [Permit and License Fee Elimination]
Sponsors: Chiu; Mar
Ordinance amending San Francisco Business and Tax Regulations Code Sections 248 and 249.1, amending San Francisco Police Code Sections 2.26 and 2.27, and repealing San Francisco Police Code Section 2.28, all to eliminate certain permit and license fees and revenue fees, while retaining any underlying permitting, licensing, and other substantive regulatory requirements.

Supervisor Mar requested to be added as a co-sponsor.

FINALLY PASSED

Recommendation of the Public Safety Committee

100268 [Accept and Expend Grant - Edward Byrne Memorial Justice Assistance and Amend Annual Salary Ordinance FY2009-2010 - $729,932]
Sponsor: Mayor
Ordinance authorizing the Department of Children, Youth & Their Families to retroactively accept and expend grant funding in the amount of $729,932 from the Federal Department of Justice, Office of Justice Programs for implementation of criminal justice programs; and amending the Annual Salary Ordinance No. 183-09 for FY2009-2010 to reflect the addition of one Class 1822 grant-funded position (0.50 FTE) at the Department of Children, Youth & Their Families and one Class 2910 grant-funded position (0.50 FTE) at the Public Defender's Office.

FINALLY PASSED

Recommendation of the Rules Committee

100204 [Americans with Disabilities Act - Reasonable Modification Policy]
Sponsors: Alioto-Pier; Mar, Campos, Chiu and Mirkarimi
Ordinance adding Administrative Code Section 2A.22.3 to adopt a Citywide Americans with Disabilities Act Reasonable Modification Policy that requires City departments to: (1) provide notice to the public of the right to request reasonable modification; (2) respond promptly to such requests; (3) provide appropriate auxiliary aids and services to people with disabilities to ensure effective communication; and (4) train staff to respond to requests from the public for reasonable modification, and that requires the Mayor's Office on Disability to provide technical assistance to City departments responding to requests from the public for reasonable modifications.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Committee

100248 [Creation of General Reserve and Budget Stabilization Reserve]
Sponsors: Chiu; Mayor, Chu and Mirkarimi
Ordinance amending the San Francisco Administrative Code by adding Section 10.60, to adopt a binding financial policy under Charter Section 9.120 creating a General Reserve and a Budget Stabilization Reserve and providing rules for deposits to and withdrawals from such funds. (Controller)

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

100338 [Appropriating $33,735,421 of Proceeds from Debt and Fee Revenues for Water Capital Improvements at the Public Utilities Commission for FY2010-2011 and FY2011-2012]

Sponsor: Mayor

Ordinance appropriating $33,735,421 of proceeds from debt and fee revenues for the San Francisco Public Utilities Commission (SFPUC) Water Enterprise's Capital Improvement Program for FY2010-2011 and FY2011-2012 and placing $29,642,138 by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness and fee revenues.
(Fiscal Impact.)

Privilege of the floor was granted to Nathan Purkiss (Public Utilities Commission) who responded to questions raised throughout the discussion regarding File Nos. 100338, 100339, and 100340.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

100339 [Appropriating $348,064,054 of State Grants Proceeds from Debt and Fee Revenues for Wastewater Capital Improvements at the Public Utilities Commission for FY2009-2010]

Sponsors: Mayor; Dufty

Ordinance appropriating $348,064,054 of state grants proceeds from debt and fee revenues for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program for FY2009-2010, and placing $329,962,235 by project on Controller's reserve subject to SFPUC and Board of Supervisor's discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness, grant funds, and fee revenues.

See File No. 100338.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

100340 [Wastewater Revenue Bond Issuance – Not to Exceed $297,756,235]
Sponsors: Mayor; Dufty
Ordinance approving the issuance and sale of wastewater revenue bonds in an aggregate principal amount not to exceed $297,756,235 by the San Francisco Public Utilities Commission to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.

See File No. 100338.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

From the City Operations and Neighborhood Services Committee Without Recommendation

100264 [Urging Lennar Corporation to Issue a Formal Written Apology]
Sponsor: Daly
Resolution urging the Lennar Corporation to issue a formal, written apology to members of the Stop Lennar Action Movement and the City and County of San Francisco for irresponsible and potentially dangerous behavior.

Supervisor Dufty, seconded by Supervisor Daly, moved that this Resolution be AMENDED on Page 2, Line 2, by changing 'great' to 'potential;' and on Page 2, Line 23, after 'to members of the' by adding 'Bayview Hunter's Point Community.' The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

Supervisor Dufty moved to divide the 'FURTHER RESOLVED' clause relating to disclosure, located on Page 3, Lines 1-3.

The question relating to the 'FURTHER RESOLVED' clause regarding disclosure FAILED, as divided, by the following vote:
Ayes: 5 - Avalos, Campos, Daly, Mar, Mirkarimi
Noes: 5 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd
Excused: 1 - Maxwell

Supervisor Alioto-Pier moved to divide the 'WHEREAS' clause relating to unconscionable actions, located on Page 2, Lines 18-21.

The question relating to the 'WHEREAS' clause regarding unconscionable actions FAILED, as divided, by the following vote:
Ayes: 5 - Avalos, Campos, Daly, Mar, Mirkarimi
Noes: 5 - Alioto-Pier, Chiu, Chu, Dufty, Elsbernd
Excused: 1 - Maxwell

ADOPTED AS AMENDED AND DIVIDED by the following vote:

Ayes: 8 - Alioto-Pier, Avalos, Campos, Chiu, Daly, Dufty, Mar, Mirkarimi
Noes: 2 - Chu, Elsbernd
Excused: 1 - Maxwell

Recommendation of the Government Audit and Oversight Committee

100240 [Supporting Senate Bill 330 Regarding University of California]
Sponsor: Mar
Resolution supporting Senate Bill 330 for increased transparency and accountability in auxiliary organizations and foundations in the University of California and California State University systems.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

Supervisor Daly was noted absent at 3:02 p.m. Supervisor Daly was noted present at 3:31 p.m.

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Chiu, seconded by Supervisor Mar, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Jane Morrison for her commitment to human rights, equality, and environment around the country and the state on the occasion of her 90th birthday.

Supervisor Mar introduced, welcomed, and presented a Certificate of Honor to Randi Weingarten in recognition of her accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.

100382 [Public Hearing - Appeal of Conditional Use for 725 Taraval Street]

Hearing of persons interested in or objecting to decision of the Planning Commission by its Motion No. 18037 dated February 25, 2010, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2009.0531C), under Planning Code Sections 303, 711.83, and 790.80, to install a wireless telecommunications facility consisting of eight new panel antennas located on the existing four-story mixed-use building's elevator penthouse structures, with related equipment cabinets located within the structure's subterranean garage, as part of T-Mobile's wireless telecommunications network within a NC-2 (Neighborhood Commercial, Small-Scale) Zoning District and a 40-X Height and Bulk District, on property located at 725 Taraval Street, Lot Nos. 052-058 in Assessor's Block No. 2408. (District 7) (Appellant: Robert Carson) (Clerk of the Board)

(Filed March 25, 2010 - Companion Measure to File Nos. 100383, 100384, 100385.)

The President inquired as to whether any member of the public wished to address the Board relating to the proposed continuance to May 18, 2010. There were no speakers. The President continued the public hearing open to May 18, 2010.

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Hearing be CONTINUED to May 18, 2010. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

100383 [Affirming Planning Commission Decision Related to Conditional Use Appeal for 725 Taraval Street]

Motion affirming the decision of the Planning Commission by its Motion No. 18037, approving Conditional Use Application No. 2009.0531C on property located at 725 Taraval Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 18, 2010. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

100384 [Reversing Planning Commission Decision Related to Conditional Use Appeal for 725 Taraval Street]

Motion reversing the decision of the Planning Commission by its Motion No. 18037, approving Conditional Use Application No. 2009.0531C on property located at 725 Taraval Street. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 18, 2010. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

100385 [Preparation of Findings Related to the Conditional Use Appeal for 725 Taraval Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2009.0531C on property located at 725 Taraval Street, for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Campos, moved that this Motion be CONTINUED to May 18, 2010. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

SPECIAL ORDER 4:00 P.M.

Supervisor Alioto-Pier was noted absent at 6:51 p.m. Supervisor Alioto-Pier was noted present at 7:30 p.m.

100443 [Public Hearing - Appeal of Certification of Final Environmental Impact Report - 555 Washington Street]

Hearing of persons interested in or objecting to the Planning Commission's March 18, 2010, Certification of a Final Environmental Impact Report identified as Planning Case No. 2002.0133E, through its Motion No. 18046, and its decision of the Planning Commission's March 18, 2010, Case No. 2002.0133EZMRKXV, adoption of California Environmental Quality Act findings, through its Motion No. 18047, which will include demolition of two buildings at 501-505 Washington Street and 545 Sansome Street, and construction of a 38-story, approximately 390 foot-tall building topped with a mechanical penthouse and architectural screening reaching in height to approximately 332,000 gross square feet of floor area, including 248 residential units, 4,640 square feet of ground-floor retail space, and four levels of subsurface parking with 215 parking spaces plus 2 car share spaces, including vacation of Mark Twain Alley and conveyance of Redwood Park to the City and County of San Francisco, for project located at 555 Washington Street (aka 545 Sansome Street), Block No. 0207, Lot Nos. 33, 35, and 36. (District 3) (Appellants: Sue Hestor, on behalf of San Franciscan's for Reasonable Growth, and Vedica Puri, on behalf of Telegraph Hill Dwellers). (Clerk of the Board)

(Filed April 2, 2010, Companion to File Nos. 100444, 100445, 100446)

The President inquired as to whether any member of the public wished to address the Board. Susan Brandt-Hawley and Sue Hestor (Appellants) provided overviews of the appeal and further requested the Board to approve the appeal. Gerry Crowley; Mark Bittner; Bill Sugaya (Planning Commissioner); Arthur Levy; Linda Chapman; Ted Kipping; Male Speaker; Judy Irving; Stan Hayes; Phil Ryan; Andy Katz; Nancy Shanahan; Tom Radulovich; Tony Kelly; Michael Pedroni, Richard Reineccius; Eileen Boken; Male Speaker; Nan Roth; Jennifer Clary; Albert Einstein; Joe Luttrell; David Turner; Joan Wood; James Joannides; Pierre Gasztowtt; Paul Wermer; Jane Morrison; Katherine Howard; Joe Butler; Howard Wong; Zach Stewart; Tommy Day; Kevin Call; Ernestine Weiss; Vedica Puri; Dawn Turner; spoke in support of the appeal. Bill Wycko, Kevin Guy, and Tara Sullivan (Planning Department) provided an overview of the decision of the Planning Commission and responded to questions raised throughout the discussion. Andrew Segal, Kevin O'Connel, and Rachel Borsche (Project Sponsors) provided an overivew of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Kate Stacy (City Attorney's Office) responded to questions raised throughout the discussion. Dr. Orobo Osagie; Richard Ow; Gian-Paolo Veronese; Tim Colin; Peter Scott; Dan Prince; Florence Kong; Female Speaker; Jeff Ente; Rin; Male Speaker; Mr. Lu; Regina Vann; Ruben Rivas; Roberto Rivas; Margaret Rowley; Joan Mathis; Angela Armstrong; Andrew McDevitt; Female Speaker; Mark Shelley; Adrian Simi; Male Speaker; Pak King Wu; Sandy Hong; Joshua Wyman; Mitchell; Panayea Roomel; Danny Campbell; Mark Leach; Ed Reyes; Michael George; David Krump; Kay Stegner; Rev. Richardson; Manual Flores; spoke in support of the project and in opposition to the appeal. Susan Brandt-Hawley (Appellant) provided rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

100444 [Affirming the Certification of the 555 Washington Street Project Final Environmental Impact Report]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project. (Clerk of the Board)

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Daly, Mar, Mirkarimi
Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd
Excused: 1 - Maxwell

100445 [Reversing the Certification of the 555 Washington Street Project Final Environmental Impact Report]

Motion reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to CONTINUE to May 18, 2010.

The motion to CONTINUE to May 18, 2010, FAILED by the following vote:

Ayes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd
Noes: 6 - Avalos, Campos, Chiu, Daly, Mar, Mirkarimi
Excused: 1 - Maxwell

Supervisor Daly, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

100446 [Preparation of Findings to Reverse Certification of the 555 Washington Street Project Final Environmental Impact Report]

Motion directing the Clerk of the Board to prepare findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to CONTINUE to May 18, 2010.

The motion to CONTINUE to May 18, 2010, FAILED by the following vote:

Ayes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd
Noes: 6 - Avalos, Campos, Chiu, Daly, Mar, Mirkarimi
Excused: 1 - Maxwell

Supervisor Daly, seconded by Supervisor Chiu, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE. The motion carried by the following vote:

Ayes: 6 - Avalos, Campos, Chiu, Daly, Mar, Mirkarimi
Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd
Excused: 1 - Maxwell

APPROVED AS AMENDED by the following vote:

Ayes: 6 - Avalos, Campos, Chu, Daly, Mar, Mirkarimi
Noes: 4 - Alioto-Pier, Chiu, Dufty, Elsbernd
Excused: 1 - Maxwell

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdullah Megaheed; expressed various concerns in Arabic and English.
James Chaffee; expressed concerns relating to the SF Public Library.
Patricia Vaughn; expressed various concerns.
Colin Gallagher; expressed concerns relating to Armenian Genocide Commemoration Day legislation.
Peter Warfield; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed concerns relating to legislative process.
Christopher Dahl; expressed various concerns.
Ernestine Weiss; expressed various concerns.
Male Speaker; expressed concerns relating to appointment process.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

100459 [Supporting Senate Bill 1140 Regarding Allowing Voters to Register and Vote Up to and Including Election Day]
Sponsors: Campos; Mar
Resolution supporting Senate Bill 1140 to delete the arbitrary timelines which prevent eligible citizens from voting in elections by allowing voters to register and vote up to and including election day.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED

100475 [Supporting Establishment of Statewide Extended Producer Responsibility System and Framework]
Sponsor: Mirkarimi
Resolution urging the California State Legislature to enact an extended producer responsibility framework, requesting the City and County of San Francisco's lobbying efforts include extended producer responsibility advocacy, authorizing the City to become a member of the California Product Stewardship Council and recommitting the City to the goals of the Environmentally Preferable Purchasing Ordinance.

ADOPTED

100476 [Supporting Creation of and Declaring Asian Pacific Mental Health Day - May 10, 2010]
Sponsor: Mar
Resolution supporting the creation of Asian Pacific Mental Health Day on May 10, 2010, and each May 10 thereafter.

ADOPTED

100477 [Armenian Genocide Commemoration Day - April 24, 2010]
Sponsors: Elsbernd; Campos, Dufty, Alioto-Pier, Mar, Avalos, Chu, Maxwell, Mirkarimi, Daly and Chiu
Resolution declaring April 24, 2010, as Armenian Genocide Commemoration Day in San Francisco.
ADOPTED

100478 [Honoring Jane Morrison on the Occasion of her 90th Birthday]
Sponsors: Chiu; Mar
Resolution honoring Jane Morrison on the occasion of her 90th birthday.
Supervisor Mar requested to be added as a co-sponsor.
ADOPTED

100479 [Commending Women's Sports Foundation Chief Executive Officer, Kathryn Olson]
Sponsor: Alioto-Pier
Resolution commending Kathryn Olson on her selection as Chief Executive Officer of the Women's Sports Foundation.
ADOPTED

The foregoing items were acted upon by the following vote:
Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

Ordinances

100495 [California Environmental Quality Act Appeals of Certain Environmental Determinations and Providing Public Notice]
Sponsor: Alioto-Pier
Ordinance amending Administrative Code Chapter 31 to provide for appeals to the Board of Supervisors of environmental decisions and determinations under the California Environmental Quality Act, and providing public notice of such decisions and environmental documents.

04/20/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/21/2010.

100496 [Accept and Expend Grant - California Emergency Management Agency and Amendment to the Annual Salary Ordinance for FY2009-2010 - $505,599]
Sponsor: Dufty
Ordinance authorizing the Department of Adult Probation to retroactively accept and expend a grant in the amount of $505,599 from the California Emergency Management Agency for a pilot program funded by Senate Bill 678 designed to improve outcomes for 18-25 year old probationers, and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of one (1) grant-funded position (0.25 FTE) in Class 8444 Deputy Probation Officer at the Department of Adult Probation.

04/20/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

091269 [Payroll Expense Tax Biotechnology Exclusion Amendment]
Sponsors: Alioto-Pier; Dufty
Ordinance amending Section 906.1 of the San Francisco Business and Tax Regulations Code to clarify the definition of "biotechnology business" and to allow applicants to claim the biotechnology exclusion for seven and one half (7.5) years irrespective of the application date.
(Fiscal Impact.)

02/23/10; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 12/3/2009. (Referred to the Small Business Commission for comment and recommendation.)

02/23/10; SUBSTITUTED.

02/23/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

04/19/10; TRANSFERRED to Budget and Finance Sub-Committee.

04/20/10; SUBSTITUTED.

Resolutions

100497 [Authorizing the Emergency Medical Services Agency to Conduct Criminal Background Checks]

Sponsor: Alioto-Pier

Resolution authorizing the San Francisco Emergency Medical Services Agency to conduct criminal background checks pursuant to state law for the purpose of certifying emergency medical technicians.

04/20/10; RECEIVED AND ASSIGNED to Public Safety Committee.

100498 [Emergency Designation of the Director of Public Works, as Agent, to Apply for, Receive, and Expend Federal Disaster Relief Funds for the Great Highway]

Sponsor: Chu

Resolution authorizing the Director of Public Works, to act as the agent of the City and County of San Francisco, as a non-state agency, to apply for, accept, and expend federal financial assistance under P.L. 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act to address the emergency condition of the severe erosion along the Great Highway.

04/20/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100499 [Accept and Expend Grant - Green Business Tracking and Measurement Tool - $74,500]

Sponsor: Chu

Resolution authorizing the Department of the Environment of the City and County of San Francisco to accept funding in the amount of $74,500 from the California Department of Toxic Substances Control to continue to develop and operate the green business tracking and measurement tool.

04/20/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100500 [Apply for, Accept and Expend Grant - HOME Investment Partnership Program Entitlement, FY2010-2011 - $8,580,153]

Sponsor: Mayor

Resolution approving the FY2010-2011 HOME Investment Partnership Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2010-2011 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $8,580,153 and to expend program income in the amount of $301,605.

04/20/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100501 [Apply For, Accept and Expend Grant - Emergency Shelter Grants Program Entitlement, FY2010-2011 - $926,523]

Sponsor: Mayor

Resolution approving the FY2010-2011 Emergency Shelter Grant Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2010-2011 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $926,523 and to expend reprogrammed funds in the amount of $35,703.

04/20/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100502 [2010 Equipment Lease Supplement No. 16 - Not to Exceed $11,500,000]
Sponsor: Mayor
Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 16 (Series 2010A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $11,500,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith. Fiscal Impact.)

04/20/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100503 [Apply for, Accept and Expend Grant - Community Development Block Grant Entitlement, FY2010-2011 - $22,267,380]
Sponsor: Mayor
Resolution approving the FY2010-2011 Community Development Block Grant Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2010-2011 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $22,267,380 and to expend program income in the amount of $4,886,000.

04/20/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100504 [Commending Dennis Morris, Assistant District Attorney, Upon his Retirement]
Sponsor: Elsbernd
Resolution commending Dennis Morris, Assistant District Attorney, upon his retirement.

04/20/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100505 [Support for Louis' Restaurant]
Sponsors: Mar; Mirkarimi, Daly, Alioto-Pier, Chu and Chiu
Resolution supporting Louis' Restaurant at 902 Point Lobos.

04/20/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100506 [Commemorating Adolph Sutro's 180th Birthday]
Sponsor: Mar
Resolution commemorating the 180th birthday of Adolph Sutro.

04/20/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100507 [Accept and Expend Gift - Jeanne Fontana Revocable Trust - $25,000]
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Animal Care and Control to accept and expend a gift of $25,000 from the Jeanne Fontana Revocable Trust.

04/20/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motion

100508 [Directing the Budget and Legislative Analyst to Audit the Department of Children, Youth and Their Families]
Sponsor: Alioto-Pier
Motion directing the Budget and Legislative Analyst to audit the Department of Children, Youth and Their Families.
04/20/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Hearings

100509 [Audit Schedule and Department Selection Criteria]
Sponsor: Alioto-Pier
Hearing to discuss the current audit schedule and criteria for selecting departments for audit.
04/20/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100510 [Golden Gate Park Safety]
Sponsors: Chu; Mar
Hearing on park safety within Golden Gate Park including lighting of paths and other security measures, coordination and communication between Recreation and Park staff and the San Francisco Police Department, and the level of park patrol staffing in the current year and upcoming budget year as proposed.
04/20/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100511 [Youth Commission Budget Priorities, FY2010-2011]
Sponsor: Avalos
Hearing to consider the Youth Commission's budget priorities for FY2010-2011.
04/20/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100512 [City and County of San Francisco's Budget for FY2010-2011 Impact on Children, Youth and Family Services]
Sponsor: Avalos
Hearing on the impact of the City and County of San Francisco's budget for FY2010-2011 on children, youth and family services.
04/20/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100513 [Status of the Election Campaign Fund]
Sponsor: Avalos
Hearing to consider the status of the Election Campaign Fund in regards to the 2010 and 2011 elections.
04/20/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Introduced by President at Request of Department

PROPOSED RESOLUTIONS

100492 **[Supplemental Agreement to Install an Additional Water Pipeline Over Union Pacific Railroad Company Property in Stanislaus County]**

Resolution approving and authorizing a Supplemental Agreement with Union Pacific Railroad Company to install an additional water pipeline within an existing easement area over Railroad property near the City of Oakdale in Stanislaus County required for the San Joaquin Pipeline System Project No. CUW37301 for a fee of $2,500; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

04/12/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100493 **[Finding of Fiscal Feasibility of Runway Safety Area Project at San Francisco International Airport]**

Resolution finding the proposed Runway Safety Area project at San Francisco International Airport fiscally feasible pursuant to Administrative Code Chapter 29. (Airport Commission)

04/12/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irvine and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

1000-1098 Hayes (hate graffiti on wall)
300 Buchanan
400 Page
501 Fillmore
400 Fillmore
799 Haight
400 Duboce
1825 Haight
1562 Haight
1564 Haight
1342 Haight
911 Haight

900 Haight
418-420 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Wood Poles
Northeast corner Clayton & Grove

Metal Poles
Southwest corner Octavia & Haight
Northeast corner Webster & Waller
In front of 342 Haight
In front of 547 Haight
Northwest corner Buchanan & Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes
Southeast corner Fillmore & Fell
Northeast corner Hayes & Broderick
Southwest corner Scott & Haight
Southwest corner Fulton & Broderick

Bus Shelters
Southeast corner Buchanan & Haight
Southwest corner Broderick & Hayes
Northeast corner Fillmore & Hermann (in canopy)
Northwest corner Baker & Hayes
Northwest corner Haight & Divisadero
Fillmore and Haight (all 4 bus stops, graffiti and grime)

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
Southwest corner Grove & Gough
Northwest corner Ashbury & Haight

Mailbox
Southwest corner Lyon & Hayes

From: Supervisor Elsbernd
To: Director, San Francisco Public Utilities Commission
To: Local Agency Formation Commission
Requesting/Inquiring: Inquiring of the San Francisco Public Utilities Commission and Local Agency Formation Commission (LAFCo) the status of the Community Choice Aggregation (CCA) contract. In particular, when is the completed contract expected to be submitted to the Board of Supervisors?

From: Supervisor Mirkarimi
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft an ordinance establishing a San Francisco County Adult Reentry Court which would be an alternative sanction to a return to jail or prison for parolees and/or probationers. The population eligible for such a reentry court would be parolees and/or probationers who would otherwise be returned to custody through a parole revocation, probation violation, and/or new offense. The Court would be a collaborative partnership of Adult Probation, State Parole, Public Defender, District Attorney, Sheriff, Superior Court, Department of Public Health, and select NGOs. A judge, parole commissioner, probation commissioner or other individual would oversee such a court. The overreaching goals for the San Francisco Adult Reentry Court shall be: 1) reduction in frequency and length of use of incarceration; 2) reduction in recidivism and re-offense rates; 3) increase in health and self-sufficiency of parolee/probationer; 4) successful completion of parole/probation.

From: Supervisor Alioto-Pier
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation to make it illegal to withhold wages for work, and to authorize the Office of Labor Standards Enforcement to work with the District Attorney and Police Department to prosecute such cases.

In Memoriams

Len Connacher – Supervisor Elsbernd
Huan Chen – Entire Board
Tian Sheng Yu – Entire Board
Enrique Manrique – Supervisor Mirkarimi
Lidiuvina Gallegos Hernandez – Supervisor Mirkarimi
Maureen Mona – Supervisor Elsbernd
Michael J. Heneghan – Supervisor Elsbernd
Gilbert H. Boreman – Entire Board
Dr. Dorothy Height – Entire Board

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 9:23 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 18, 2010.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 16 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, April 27, 2010 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos	Wednesday 1:30 PM
Budget and Finance Sub-Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Dufty	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: Michela Alioto-Pier, John Avalos, David Campos, David Chiu, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar and Ross Mirkarimi

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:09 p.m. On the call of the roll, Supervisor Maxwell was noted absent. There was a quorum.

Supervisor Maxwell Excused from Voting

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that Supervisor Maxwell be excused from voting. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Mar, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of March 30, 2010. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

100310 **[Airport Concession Lease - Terminal 2 Book Store with Books, Inc.]**
Resolution approving the Terminal 2 Book Store lease between Books, Inc., (Compass Books, Inc.), and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

ADOPTED

100315 [Airport Concession Lease – Terminal 2 Specialty Store with Charles Chocolates, Inc.]

Resolution approving the Terminal 2 Specialty Store lease between Charles Chocolates, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

ADOPTED

100322 [Airport Concession Lease - Terminal 2 Spa with XpresSpa SF International, Inc.]

Resolution approving the Terminal 2 Spa lease between XpresSpa SF International, Inc., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

ADOPTED

100389 [Professional Services Agreement - Energy Efficiency, Renewable Energy and Climate Change with ICF International - $19,000,000]

Sponsor: Mirkarimi

Resolution approving a Professional Services Agreement with ICF International for Energy Efficiency, Renewable Energy, and Climate Professional Services at a total cost of $19,000,000. (Environment)

ADOPTED

100431 [Accept and Expend Grant - Recovery Act Justice Assistance Grant - $963,198]

Sponsors: Mayor; Dufty and Mirkarimi

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $963,198 from the California Emergency Management Agency, to assist with a project entitled "Recovery Act Justice Assistance Grant" for the period of October 1, 2009, through March 31, 2011.

ADOPTED

100474 [Accept and Expend Grant - American Recovery and Reinvestment Act GreenFinanceSF - $2,080,000]

Sponsors: Mayor; Dufty and Mirkarimi

Resolution amending Resolution No. 59-10 retroactively to substitute the Public Utilities Commission, for the Department of the Environment, as the department authorized to accept and expend a grant in the amount of $2,080,000 from the California Energy Commission's State Energy Program to provide financial assistance for GreenFinanceSF, the City and County of San Francisco's municipal financing program for energy and water retrofits of privately-owned buildings, and ratifying actions previously taken.

ADOPTED

Recommendations of the Public Safety Committee

100433 [Accept and Expend Grant - San Francisco Drug Elimination Team - $533,810]
Sponsor: Chu
Resolution authorizing the Department of Children, Youth & Their Families, to retroactively accept and expend grant funding in the amount of $533,810 from the California Emergency Management Agency to fund the San Francisco Drug Elimination Team, a multi-disciplinary partnership, comprised of the San Francisco Police Department, the District Attorney's Office, and the Adult Probation Department for the period of July 1, 2009, through June 30, 2010.

ADOPTED

100435 [Accept and Expend Grant - Substance Abuse Offender Treatment Program - $370,182]
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the California Department of Alcohol and Drug Programs in the amount of $370,182 to fund the Substance Abuse Offender Treatment Program for the period July 1, 2009, through June 30, 2010.

ADOPTED

Recommendations of the Rules Committee

100421 [Settlement of Lawsuit - John Hartnett - $30,000]
Ordinance authorizing settlement of the lawsuit filed by John Hartnett against the City and County of San Francisco for $30,000; the lawsuit was filed on March 13, 2009, in San Francisco Superior Court, Case No. CGC-09-486142; entitled John Hartnett v. City and County of San Francisco et al. (City Attorney)

PASSED, ON FIRST READING

100438 [Settlement of Lawsuit - Michelle Cody - $105,000]
Ordinance authorizing settlement of the lawsuit filed by Michelle Cody against the City and County of San Francisco for $105,000; the lawsuit was filed on May 27, 2008, in San Francisco Superior Court, Case No. CGC-08-475697; entitled Michelle Cody v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

100439 [Settlement of Claim - Karin Novotna - $125,000]
Resolution approving the settlement of the unlitigated claim filed by Karin Novotna against the City and County of San Francisco for $125,000; claim was filed on November 19, 2009. (City Attorney)

ADOPTED

100440 [Settlement of Claim - Pacific Gas and Electric Company - $97,957.70]
Resolution approving the settlement of the unlitigated claim filed by the City and County of San Francisco against Pacific Gas and Electric Company for $97,957.70; claim was filed on February 1, 2010. (City Attorney)

ADOPTED

100426 [Appointment, In-Home Supportive Services Public Authority - Kenzi Robi]
Motion appointing Kenzi Robi, term ending March 1, 2012, to the In-Home Supportive Services Public Authority. (Clerk of the Board)
Kenzi Robi, seat 5, succeeding Mike Boyd, term expired, must be consumer at-large between the ages of 18 and 60, for the unexpired portion of a three-year term ending March 1, 2012.

APPROVED

100463 [Appointments, SRO Task Force - Charles Siron, Suresh Patel, Bruce Burge, Seth Katzman, Jorge Portillo, Jeff Buckley, Angela Chu, Matthias Mormino and Patrick Flanagan]
Motion appointing Charles Siron, Suresh Patel, Bruce Burge, Seth Katzman, Jorge Portillo, Jeff Buckley, Angela Chu, Matthias Mormino and Patrick Flanagan, terms ending December 31, 2012, to the SRO Task Force, residency requirement waived. (Clerk of the Board)
Charles Siron, seat 1, succeeding himself, term expired, must be a SRO tenant, for the unexpired portion of a three-year term ending December 31, 2012.
Suresh Patel, seat 2, succeeding himself, term expired, must be a private SRO owner/operator, for the unexpired portion of a three-year term ending December 31, 2012.
Bruce Burge (residency requirement waived), seat 3, succeeding Dipak Patel, term expired, must be a private SRO owner/operator, for the unexpired portion of a three-year term ending December 31, 2012.
Seth Katzman, seat 4, succeeding himself, term expired, must be a non-profit SRO operator/owner, for the unexpired portion of a three-year term ending December 31, 2012.
Jorge Portillo, seat 5, succeeding himself, term expired, must be a representative of the Mission SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.
Jeff Buckley, seat 6, succeeding himself, term expired, must be a representative of the Central City SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.
Angela Chu, seat 7, succeeding herself, term expired, must be a representative of the Chinatown SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.
Matthias Mormino, seat 8, succeeding himself, term expired, must be a representative of the Families SRO Collaborative, for the unexpired portion of a three-year term ending December 31, 2012.
Patrick Flanagan, seat 9, new appointment, must be a SRO tenant, for the unexpired portion of a three-year term ending December 31, 2012.

APPROVED

100423 [Appointment, Commission on the Aging Advisory Council - Elinore Luris]
Motion appointing Elinore Luris, term ending March 31, 2012, to the Commission on the Aging and Advisory Council. (Clerk of the Board)
Elinore Luris, seat 1, succeeding Lila McCarthy, must be nominee of District 2 Supervisor, for the unexpired portion of a two-year term ending March 31, 2012

APPROVED

100424 [Appointment, Sweatfree Procurement Advisory Group - Alicia Culver]

Motion appointing Alicia Culver, term ending December 17, 2011, to the Sweatfree Procurement Advisory Group, residency requirement waived. (Clerk of the Board)

Alicia Culver (residency requirement waived), seat 2, succeeding herself, term expired, must have significant experience acquiring goods or services for a public entity, for the unexpired portion of a two-year term ending December 17, 2011.

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

Severed from the Consent Agenda

Supervisor Campos requested that File Nos. 100338 and 100339 be severed so that they may be considered separately.

100338 [Appropriating $33,735,421 of Proceeds from Debt and Fee Revenues for Water Capital Improvements at the Public Utilities Commission for FY2010-2011 and FY2011-2012]

Sponsor: Mayor

Ordinance appropriating $33,735,421 of proceeds from debt and fee revenues for the San Francisco Public Utilities Commission (SFPUC) Water Enterprise's Capital Improvement Program for FY2010-2011 and FY2011-2012 and placing $29,642,138 by project on Controller's reserve subject to SFPUC's and Board of Supervisors' discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness and fee revenues.
(Fiscal Impact.)

Privilege of the floor was granted to Cheryl Adams (City Attorney's Office) and Ed Harrington (Public Utilities Commission) who responded to questions raised throughout the discussion regarding File Nos. 100338 and 100339.

Supervisor Campos, seconded by Supervisor Mirkarimi, moved to CONTINUE File Nos. 100338 and 100339 to May 11, 2010.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to TABLE the motion to CONTINUE File Nos. 100338 and 100339 to May 11, 2010, made by Supervisor Campos.

Supervisor Daly, seconded by Supervisors Campos and Mirkarimi, moved to TABLE the motion to TABLE made by Supervisor Elsbernd. The motion to TABLE Supervisor Elsbernd's motion to TABLE FAILED by the following vote:
Ayes: 4 - Campos, Daly, Mar, Mirkarimi
Noes: 6 - Alioto-Pier, Avalos, Chiu, Chu, Dufty, Elsbernd
Excused: 1 - Maxwell

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved to TABLE the motion to CONTINUE File Nos. 100338 and 100339 to May 11, 2010, made by Supervisor Campos. The motion to TABLE Supervisor Campos' motion to CONTINUE File Nos. 100338 and 100339 to May 11, 2010, PASSED by the following vote:
Ayes: 6 - Alioto-Pier, Avalos, Chiu, Chu, Dufty, Elsbernd
Noes: 4 - Campos, Daly, Mar, Mirkarimi
Excused: 1 - Maxwell

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

100339 **[Appropriating $348,064,054 of State Grants Proceeds from Debt and Fee Revenues for Wastewater Capital Improvements at the Public Utilities Commission for FY2009-2010]**

Sponsors: Mayor; Dufty

Ordinance appropriating $348,064,054 of state grants proceeds from debt and fee revenues for the San Francisco Public Utilities Commission (SFPUC) Wastewater Enterprise's Capital Improvement Program for FY2009-2010, and placing $329,962,235 by project on Controller's reserve subject to SFPUC and Board of Supervisor's discretionary approval following completion of project-related analysis pursuant to the California Environmental Quality Act, where required, and receipt of proceeds of indebtedness, grant funds, and fee revenues.

See File No. 100338.

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Budget and Finance Sub-Committee

100340 **[Wastewater Revenue Bond Issuance – Not to Exceed $297,756,235]**

Sponsors: Mayor; Dufty

Ordinance approving the issuance and sale of wastewater revenue bonds in an aggregate principal amount not to exceed $297,756,235 by the San Francisco Public Utilities Commission to finance various projects benefitting the Wastewater Enterprise pursuant to amendments to the Charter of the City and County of San Francisco enacted by the voters on November 5, 2002, as Proposition E; and ratifying previous actions taken in connection therewith.
(Fiscal Impact.)

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

NEW BUSINESS

Recommendation of the Budget and Finance Committee

100430 [Ten Year Capital Expenditure Plan - FYs2011-2020]
Sponsors: Mayor; Chiu
Resolution adopting the City's ten year capital expenditure plan for FYs2011-2020.

Supervisor Alioto-Pier, seconded by Supervisor Dufty, moved that the attachment to the Resolution be AMENDED on Page 134 to read "Francisco Reservoir: Consistent with Board Resolution 502-08, the City will explore the preservation of the Francisco Reservoir as open space." The motion carried by the following vote:

Ayes: 7 - Alioto-Pier, Avalos, Campos, Chiu, Dufty, Mar, Mirkarimi
Noes: 3 - Chu, Daly, Elsbernd
Excused: 1 - Maxwell

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

Recommendations of the Budget and Finance Sub-Committee

100251 [Approval of Contract with AT&T for City Telecommunications Services - $75,000,000]
Ordinance approving, retroactively, a contract with AT&T for the purchase of telecommunications services and equipment for a maximum cost of $75,000,000 for a four and one-half year term beginning on March 1, 2010. (Department of Technology)
(Fiscal Impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

100311 [Airport Concession Lease - Amendment to Post-Security Master Retail/Duty Free Concession with DFS Group, L.P.]
Resolution approving Amendment No. 8 to the Post-Security Master Retail/Duty Free Concession Lease No. 99-0035 between DFS Group, L.P., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

100321 [Airport Concession Lease - Terminal 2 and 3 Electronics and Technology Stores with Edge 1 Cellular, L.P.]

Resolution approving the Electronics and Technology Stores in Terminal 2 and Terminal 3 lease, between Edge 1 Cellular, L.P., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

Recommendations of the Land Use and Economic Development Committee

090584 [Requiring Lighting Efficiency Measures in Commercial and City Buildings]
Sponsors: Dufty; Mayor and Chiu

Ordinance amending the San Francisco Building Code by adding a new Chapter 13D, Sections 1301D through 1311D, to require commercial buildings to increase efficiency of fluorescent lighting by the year 2011; amending the San Francisco Environment Code by dividing Section 705 into Sections 705 through 705.5 and amending them to require City-owned facilities to increase efficiency of fluorescent lighting; adopting findings required by California Health and Safety Code Section 17958.7 and environmental findings; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

091208 [24th Street - Noe Valley Neighborhood Commercial District - Conditional Use for New Full-Service and Small Self-Service Restaurants]
Sponsor: Dufty

Ordinance amending the San Francisco Planning Code by amending Section 728.1 and Sections 728.42, 728.44 and 728.69A of the Zoning Control Table to allow new full-service restaurants, small self-service restaurants, and self-service specialty food establishments with conditional use authorization and removing the Specific Provisions for full-service restaurants; adopting findings, including environmental findings, Section 301 findings, and findings of consistency with the General Plan and the Priority Policies of Section 101.1.

PASSED, ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

100021 [Acceptance of Real Property - Dearborn Street]
Sponsor: Dufty

Resolution authorizing an agreement under which the San Francisco League of Urban Gardeners will transfer title to real property located on Dearborn Street (Lot Nos. 040 and 073, Block No. 3577), the use of which is restricted to a community garden; adopting findings that the conveyance is exempt from Environmental Review and is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, accept the deeds to property and take certain actions in furtherance of this Resolution.

ADOPTED by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

SPECIAL ORDER 3:30 P.M - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Dufty, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

Supervisor Campos introduced, welcomed, and presented Certificates of Honor to Reverend Stephen A. Privette, S.J., accepted by Ana Perez, Executive Director of the CARECEN - Central American Resource Center, and Tessa Rouverol Callejo in recognition of their accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.

Supervisor Chu Excused from Voting

Supervisor Chiu was noted absent at 7:02 p.m. Supervisor Chiu was noted present at 7:27 p.m.

Supervisor Campos, seconded by Supervisor Alioto-Pier, moved that Supervisor Chu be excused from voting on File Nos. 100151, 100152, 100153, and 100154. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 2 - Chu, Maxwell

100151 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 2462 - 27th Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated November 16, 2009, Case No. 2009.0797E, that a project located at 2462 - 27th Avenue is exempt from environmental review under the California Environmental Quality Act (CEQA) as a Class 1(e) categorical exemption. The proposal would add a third floor and rear extension to the existing family home located in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District, in Assessor's Block No. 2399, Lot No. 026. (District 4) (Appellant: Stephen M. Williams, on behalf of Sunset Parkside Education and Action Committee (SPEAK)).
(Filed February 3, 2010; Companion Measure to File Nos. 100152, 100153, 100154.)

The President inquired as to whether any member of the public wished to address the Board. Stephen Williams (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Vincent Marsh; Harry Chia; Karen Mitchell; Shirley Eng; Buela Shamuda; Mike Lynch; Nancy Wuerfel; Female Speaker; Jerome Berelich; Eng Li; Larry Lyon; spoke in support of the appeal. AnMarie Rodgers and Michael Smith (Planning Department) provided an overview of the decision of the Planning Department. Bret Gladstone (Project Sponsor) provided an overview of the project and further requested the Board to uphold the decision of the Planning Commission. Alice Carey; Erica Schultz; Delly Wong; Male Speaker; Daisy Wong; Larry Barsetti; Paul Naisuler; Sam Yu; Gina Gomez; spoke in support of the project and in opposition to the appeal. Vincent Marsh and Stephen Williams (Appellants) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

100152 [Affirming the Determination of Exemption Issued for 2462 – 27th Avenue]

Motion affirming the determination by the Planning Department that the project located at 2462 - 27th Avenue is exempt from environmental review. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 2 - Chu, Maxwell

100153 [Reversing the Determination of Exemption Issued for the 2462 – 27th Avenue Project]

Motion reversing the determination by the Planning Department that the project located at 2462 - 27th Avenue is exempt from environmental review. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 2 - Chu, Maxwell

100154 [Preparation of Findings Related to the Determination of Exemption Issued for 2462 – 27th Avenue Project]

Motion directing the Clerk of the Board to prepare findings related to the appeal of determination of exemption by the Planning Department that the project located at 2462 - 27th Avenue is exempt from environmental review. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 9 - Alioto-Pier, Avalos, Campos, Chiu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 2 - Chu, Maxwell

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Supervisor Daly was noted absent at 3:19 p.m. Supervisor Daly was noted present at 3:59 p.m. Supervisor Alioto-Pier was noted absent at 4:25 p.m. Supervisor Alioto-Pier was noted present at 6:21 p.m.
Supervisor Daly was noted absent at 5:37 p.m. Supervisor Daly was noted present at 5:54 p.m.

PUBLIC COMMENT

Abdullah Megaheed; expressed various concerns in Arabic and English.
James Chaffee; expressed concerns relating to the SF Public Library.
Colin Gallagher; expressed concerns relating to Arizona.
Male Speaker; expressed concerns relating to violence in Chinese and English.
Marlene Tran; expressed concerns relating to violence.
Male Speaker; expressed concerns relating to violence.
Mr. Chao; expressed concerns relating to violence.
Female Speaker; expressed concerns relating to violence.
Sharen Hewitt; expressed concerns relating to violence in English and Chinese.
Female Speaker; expressed concerns relating to violence on MUNI in Chinese and English.
Female Speaker; expressed concerns relating to violence on MUNI in Chinese and English.
Female Speaker; expressed concerns relating to violence in Chinese and English.
Walter Paulson; shared in song certain concerns with the Board.
Male Speaker; expressed concerns relating to violence in Chinese and English.
Po King Wong; expressed concerns relating to violence.
Mable Seto; expressed concerns relating to violence.
Female Speaker; expressed concerns relating to violence in Chinese and English.
Female Speaker; expressed concerns relating to violence in Chinese and English.
John DiDonna; expressed concerns relating to separation of church and State.
Sam Siu; expressed concerns relating to violence.
Tommy Tang; expressed concerns relating to violence.
Male Speaker; expressed concerns relating to violence in Chinese and English.
Male Speaker; expressed concerns relating to violence in Chinese and English.
Male Speaker; expressed concerns relating to violence.
Vincent Pan; expressed concerns relating to violence.
Female Speaker; expressed concerns relating to violence in Chinese and English.
James Pan; expressed concerns relating to violence.
Brandon Lee; expressed concerns relating to violence.
Zhao Xiong; expressed concerns relating to violence.
Jackie Norman; expressed concerns relating to violence.
Douglas Yep; expressed concerns relating to violence in Chinese and English.
Rachel Li; expressed concerns relating to violence.
Female Speaker; expressed concerns relating to violence.
Jenny Lim; expressed concerns relating to violence in Chinese and English.
Male Speaker; expressed concerns relating to violence in Chinese and English.
Sam Li; expressed concerns relating to violence.
Male Speaker; expressed concerns relating to violence in Chinese and English.
Male Speaker; expressed concerns relating to violence in Chinese and English.
Female Speaker (APACC); expressed concerns relating to violence.
Female Speaker; expressed concerns relating to violence.
Female Speaker; expressed concerns relating to violence.
Larry Jones; expressed concerns relating to violence.
Female Speaker; expressed concerns relating to violence.
Fook Wong; expressed concerns relating to violence in Chinese and English.
Tony Leung; expressed concerns relating to violence in Chinese and English.
Francisco Da Costa; expressed various concerns in English and Chinese.
Male Speaker; expressed concerns relating to violence.
Otto Duffy; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

100504 **[Commending Dennis Morris, Assistant District Attorney, Upon his Retirement]**
Sponsor: Elsbernd
Resolution commending Dennis Morris, Assistant District Attorney, upon his retirement.
ADOPTED

100505 **[Support for Louis' Restaurant]**
Sponsors: Mar; Mirkarimi, Daly, Alioto-Pier, Chu and Chiu
Resolution supporting Louis' Restaurant at 902 Point Lobos.
ADOPTED

100506 **[Commemorating Adolph Sutro's 180th Birthday]**
Sponsor: Mar
Resolution commemorating the 180th birthday of Adolph Sutro.
ADOPTED

100507 **[Accept and Expend Gift - Jeanne Fontana Revocable Trust - $25,000]**
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Animal Care and Control to accept and expend a gift of $25,000 from the Jeanne Fontana Revocable Trust.
ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Mirkarimi
Excused: 1 - Maxwell

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

Ordinances

100149 [Prohibiting Lying on Public Sidewalks]
Sponsor: Daly
Draft ordinance amending San Francisco Police Code by adding Section 168 to prohibit lying on a public sidewalk.

04/27/10; RECEIVED AND ASSIGNED to Public Safety Committee.

100188 [Zoning – 1800 Market Street Community Center Project Special Use District]
Sponsor: Dufty
Ordinance amending the San Francisco Planning Code by adding Section 787 to establish the 1800 Market Street Community Center Project Special Use District for property located at 1800 Market Street (Lot No. 014, Assessor's Block No. 871), located at the northwest corner of Market Street and Octavia Boulevard; amending Sheet No. SU07 of the Zoning Map of the City and County of San Francisco to reflect this new Special Use District; and adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and priority policies of Planning Code Section 101.1.

04/27/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 5/27/2010.

100189 [Transferring Responsibility for Crime Lab Services from the Police Department to the City Administrator]
Sponsor: Mirkarimi
Ordinance amending the San Francisco Administrative Code by amending Section 2A.25 and by amending and renumbering Section 10.100-170, all to transfer responsibility for providing crime laboratory services from the Police Department to the City Administrator, and setting an operative date.

04/27/10; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 5/27/2010.

Resolutions

100006 [Authorizing the Director of Elections to Make Confidential Certain Voter Registration Information Pertaining to Public Safety Officers]
Sponsor: Chiu
Resolution authorizing the Director of Elections to, upon proper application of a public safety officer, make confidential that officer's residential address, telephone number and e-mail address appearing on the affidavit of registration, in accordance with California Elections Code Section 2166.7.

04/27/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100030 [Amendment to Contract - AnsaldoBreda, Inc., for Light Rail Vehicle Systems Overhaul - Not to Exceed $68,749,421]

Sponsors: Chiu and Dufty

Resolution approving Amendment One to Contract No. APT 591.01, light rail vehicle doors and steps reconditioning and systems rehabilitation, between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and AnsaldoBreda Inc. to rehabilitate the trucks of 34 light rail vehicles, at the cost of $11,996,867 for a total contract amount not to exceed $68,749,421 and to extend the term of the contract from five years to six years.

100222 [Authorizing the Acquisition of Real Property by Eminent Domain - Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project]

Sponsor: Mayor

Resolution authorizing acquisition of the following interests in real property in Alameda County: (1) a temporary construction easement in a portion of Assessor's Parcel No. 513-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary construction easement in a portion of Assessor's Parcel No. 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary construction easement and a permanent subsurface soil nail easement in portions of Assessor's Parcel No. 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1.

04/27/10; ASSIGNED to Board of Supervisors.

100244 [Declaring May 2010 Building Safety Month]

Sponsor: Avalos

Resolution declaring May 2010 as Building Safety Month in the City and County of San Francisco and urging support for supporting public safety efforts by the Department of Building Inspection and recognizing public employees for their contributions to San Francisco's structural safety and well-being.

04/27/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100256 [Calling for a Boycott of the State of Arizona and Arizona-Based Businesses Until Arizona Repeals Senate Bill 1070]

Sponsors: Campos; Chiu, Avalos, Dufty, Daly, Mirkarimi and Mar

Resolution denouncing Arizona State Senate Bill 1070, a law that seeks to implement Arizona's own scheme of immigration regulation and will inevitably lead to racial profiling of people of color and limited English proficient persons, calling for a boycott of the State of Arizona and Arizona-based businesses, and endorsing the City Attorney's offer to cooperate in a lawsuit challenging Arizona State Senate Bill 1070.

04/27/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100257 [Calling for Comprehensive Immigration Reform and Condemning Immigration and Customs Enforcement Audits of San Francisco Businesses]
Sponsors: Campos; Mar, Avalos, Mirkarimi, Chiu, Dufty, Elsbernd, Daly, Alioto-Pier and Maxwell
Resolution calling upon United States Congress to pass Comprehensive Immigration Reform that will solve the problem of undocumented immigration at its roots instead of through piecemeal enforcement-only measures, and condemning Immigration and Customs Enforcement audits of San Francisco businesses, including a unionized company.

04/27/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100285 [Federal Disaster Corps Grants Administered by the California Volunteers]
Sponsor: Mayor
Resolution authorizing designated City and County of San Francisco officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of the California, any applications or agreements and to take any actions necessary to obtain federal financial assistance through the federal Disaster Corps Grant administered by California Volunteers.

04/27/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100286 [Supporting Assembly Bill 1900 Relating to Inmates]
Sponsor: Mirkarimi
Resolution urging the State Legislature to pass Assembly Bill 1900 relating to inmates.

04/27/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

100004 [Sunset Reservoir Solar Project First Source Hiring Agreement]
Sponsor: Mar
Hearing to discuss compliance with the First Source Hiring Agreement for the Sunset Reservoir Solar Project.

04/27/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100005 [Low-Achieving Schools and the Student Improvement Grant]
Sponsors: Campos; Dufty
Hearing on the status of persistently low-achieving schools in San Francisco and the student Improvement Grant.

04/27/10; RECEIVED AND ASSIGNED to City and School District Select Committee.

100221 [Public Hearing - Authorizing the Acquisition of Real Property by Eminent Domain - Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project]

Hearing of persons interested in or objecting to proposed Resolution authorizing acquisition of the following interests in real property in Alameda County: (1) a temporary construction easement in a portion of Assessor's Parcel No. 13-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary construction easement in a portion of Assessor's Parcel No. 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary construction easement and a permanent subsurface soil nail easement in portions of Assessor's Parcel No. 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1. (Clerk of the Board)

04/27/10; SCHEDULED FOR PUBLIC HEARING to Board of Supervisors.

Motion

100220 [Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interests by Eminent Domain]

Sponsor: Mayor

Motion that the Board of Supervisors hold a public hearing on May 18, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of: (1) a temporary interest in real property in Alameda County known as Assessor's Parcel #513-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary interest in real property in Alameda County known as Assessor's Parcel # 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary interest and a permanent interest in portions of real property in Alameda County known as Assessor's Parcel # 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1.

04/27/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Introduced by President at Request of Department

PROPOSED ORDINANCE

100515 [Settlement of Lawsuit - Blackhawk Parent, LLC - $250,000]

Ordinance authorizing settlement of tax refund lawsuit filed by Blackhawk Parent, LLC, against the City and County of San Francisco for $250,000; the lawsuit entitled Blackhawk Parent, LLC, v. City and County of San Francisco, Case No. 478-160 filed August 1, 2008, in San Francisco Superior Court. (City Attorney)

04/14/10; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTION

100516 [Lease Agreement with the California State Lands Commission]

Resolution approving and authorizing a 25 year lease with the California State Lands Commission for a portion of the San Francisco Bay in Alameda and San Mateo Counties, at no rent, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW36801, Bay Division Pipeline Reliability Upgrade - Tunnel; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; adopting findings of consistency with City Planning Code Section 101.1; and authorizing the General Manager of SFPUC to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

04/19/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irvine and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

208 Scott
357 Oak
1529 Fulton
745 Buchanan
1428 Grove
743 Grove
590 Divisadero
601 Divisadero
1023 Haight
1550 Haight
537 Shrader
989 Haight
563 Haight

546 Haight
535 Haight
522 Haight
557 Haight
528 Haight
295 Buchanan
201 Buchanan

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Metal Poles
Northeast corner Fell & Scott

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes
Southeast corner Broderick & Fulton
Northeast corner Linden & Buchanan
Southeast corner Divisadero & Fulton
Southeast corner Fulton & Masonic
Northeast corner Steiner & Oak
Northeast corner Fulton & Steiner
Northwest corner Fillmore & Hermann
Northeast corner Central & Haight

Bus Shelters
Southeast corner Buchanan & Haight
Southwest corner Masonic & Golden Gate
Southeast corner Laguna & Grove
Northeast corner Buena Vista East & Haight
Southwest corner Haight & Pierce
Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Box
Northwest corner Turk & Pierce

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
Southwest corner Lyon & Haight
Northwest corner Post & Steiner
Northeast corner Clayton & Haight

Mailbox
Southeast corner Ellis & Pierce
Northeast McAllister & Pierce
Northeast corner Baker & Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes and sidewalk issues at the following locations: On Steiner & Golden Gate, South of Golden Gate, east side of street.

From: Supervisor Mar
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft legislation that outlaws fast food restaurants from including toys with meals marketed at children that are high calorie, high sugar and high in fat.

In Memoriams

Alicia Parlette – Entire Board
Kevin Restani – Supervisor Elsbernd
Tricia Taborn – Supervisor Mirkarimi

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:39 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on May 25, 2010.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 16 2011

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PUBLIC LIBRARY

Tuesday, May 4, 2010 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos	Wednesday 1:30 PM
Budget and Finance Sub-Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Dufty	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: Michela Alioto-Pier, John Avalos, David Campos, David Chiu, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar, Sophie Maxwell and Ross Mirkarimi

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:12 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Avalos, seconded by Supervisor Maxwell, moved to approve the Board Meeting Minutes of April 6, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

COMMUNICATIONS

See File No. 100447 below.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

100251 [Approval of Contract with AT&T for City Telecommunications Services - $75,000,000]

Ordinance approving, retroactively, a contract with AT&T for the purchase of telecommunications services and equipment for a maximum cost of $75,000,000 for a four and one-half year term beginning on March 1, 2010. (Department of Technology)
(Fiscal Impact.)

FINALLY PASSED

100349 [Lease of Real Property – 1390 Market Street]

Resolution authorizing the exercise of a five year option to extend the lease of approximately 9,397 square feet of space located at 1390 Market Street for the Department of Children, Youth and Their Families. (Real Estate Department)

ADOPTED

Recommendations of the City Operations and Neighborhood Services Committee

100227 [Accept and Expend Gift - Recreation and Parks Presidio Heights Playground - $910,800]
Sponsor: Alioto-Pier
Resolution authorizing the Department of Recreation and Parks to retroactively accept and expend a gift valued at $910,800 from the Friends of Presidio Heights Playground through the San Francisco Parks Trust for Phase One Improvements to Presidio Heights Playground.
ADOPTED

100401 [Accept and Expend Grant - Bio-Rad Clinical Trial - $159,876]
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from Bio-Rad Laboratories in the amount of $159,876 to fund the Bio-Rad Clinical Trial project for the period of February 1, 2010, through June 30, 2010.
ADOPTED

100403 [Accept and Expend Grant - Medical Monitoring Project - $401,770]
Sponsor: Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant from the Centers for Disease Control and Prevention in the amount of $401,770 to support a project entitled, "Medical Monitoring Project" for the period of June 1, 2010, through May 31, 2011.
ADOPTED

Recommendation of the Land Use and Economic Development Committee

091208 [24th Street - Noe Valley Neighborhood Commercial District - Conditional Use for New Full-Service and Small Self-Service Restaurants]
Sponsor: Dufty
Ordinance amending the San Francisco Planning Code by amending Section 728.1 and Sections 728.42, 728.44 and 728.69A of the Zoning Control Table to allow new full-service restaurants, small self-service restaurants, and self-service specialty food establishments with conditional use authorization and removing the Specific Provisions for full-service restaurants; adopting findings, including environmental findings, Section 301 findings, and findings of consistency with the General Plan and the Priority Policies of Section 101.1.
FINALLY PASSED

Recommendations of the Rules Committee

100421 [Settlement of Lawsuit - John Hartnett - $30,000]

Ordinance authorizing settlement of the lawsuit filed by John Hartnett against the City and County of San Francisco for $30,000; the lawsuit was filed on March 13, 2009, in San Francisco Superior Court, Case No. CGC-09-486142; entitled John Hartnett v. City and County of San Francisco et al. (City Attorney)

FINALLY PASSED

100438 [Settlement of Lawsuit - Michelle Cody - $105,000]

Ordinance authorizing settlement of the lawsuit filed by Michelle Cody against the City and County of San Francisco for $105,000; the lawsuit was filed on May 27, 2008, in San Francisco Superior Court, Case No. CGC-08-475697; entitled Michelle Cody v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

REGULAR AGENDA

UNFINISHED BUSINESS

Recommendation of the Land Use and Economic Development Committee

090584 **[Requiring Lighting Efficiency Measures in Commercial and City Buildings]**
Sponsors: Dufty; Mayor and Chiu
Ordinance amending the San Francisco Building Code by adding a new Chapter 13D, Sections 1301D through 1311D, to require commercial buildings to increase efficiency of fluorescent lighting by the year 2011; amending the San Francisco Environment Code by dividing Section 705 into Sections 705 through 705.5 and amending them to require City-owned facilities to increase efficiency of fluorescent lighting; adopting findings required by California Health and Safety Code Section 17958.7 and environmental findings; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED on Page 22, Lines 1-8, by adding 'Section 6. The lighting retrofits required by this ordinance may expose the people replacing the lamp and/or ballast to dangerous levels of electricity. The Board of Supervisors strongly urges building owners and managers to take appropriate precautions to protect both the people doing the electrical work and the people in the buildings from the associated risks of fire, serious injury, and/or death, by having the work performed only by qualified persons. Such persons should be trained in both the technical requirements of the work involved, and the decision-making process necessary to determine the nature and extent of the hazard and the personal protective equipment and job planning necessary to perform the task safely.' The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

100246 **[Permits the Bureau of Delinquent Revenue to Assign Accounts Receivable with a Value of $10,000 or Less to a Collection Agency]**
Sponsor: Mirkarimi
Ordinance amending Section 10.39-1 of the Administrative Code to increase the cap on accounts receivable that the Bureau of Delinquent Revenue may assign to a collection agency from $4,000 to accounts with a fair market value of $10,000. (Treasurer-Tax Collector)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100247 [Additional Penalty for Underreporting Tax by Twenty-five Percent or More]
Ordinance amending Section 6.17-2 of the Business and Tax Regulations Code by adding an additional "substantial underreporting" penalty equal to fifty percent of the unreported tax for underreporting a tax liability by twenty-five percent or more. (Treasurer-Tax Collector)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100471 [Accept and Expend Grant - American Recovery and Reinvestment Act Energy Efficiency Projects and Amendment to the Annual Salary Ordinance, FY2009-2010 - $875,957]
Sponsors: Mayor; Dufty
Ordinance authorizing the Department of the Environment to expend a grant in the amount of $875,957 from the California Energy Commission's State Energy Program through the Association of Bay Area Governments for the deployment of energy efficiency projects in the City and County of San Francisco and amend Ordinance Number 183-09 to reflect the addition of three (3) grant funded positions in the Department of the Environment.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100386 [Approval to Award Restaurant Lease Between the Port of San Francisco and D & G Company, LLC, Doing Business as Lou's Pier 47]
Resolution approving Port Commission Restaurant Lease No. L-14630 with D & G Company, LLC, doing business as Lou's Pier 47, for certain real property at 300 Jefferson Street located in Fisherman's Wharf in the City and County of San Francisco for a term of fifteen and one half (15 1/2) years, plus a five (5) year extension option. (Port)
(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100473 [Adopting Five Year Financial Plans Submitted by the Port and the Airport]
Sponsor: Mayor
Resolution adopting the five year financial plans submitted by the Port and the Airport under Charter Section 9.119.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100500 [Apply for, Accept and Expend Grant - HOME Investment Partnership Program Entitlement, FY2010-2011 - $8,580,153]
Sponsor: Mayor
Resolution approving the FY2010-2011 HOME Investment Partnership Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2010-2011 HOME Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $8,580,153 and to expend program income in the amount of $301,605.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100501 [Apply For, Accept and Expend Grant - Emergency Shelter Grants Program Entitlement, FY2010-2011 - $926,523]

Sponsor: Mayor

Resolution approving the FY2010-2011 Emergency Shelter Grant Program; and authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2010-2011 Emergency Shelter Grant Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $926,523 and to expend reprogrammed funds in the amount of $35,703.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100503 [Apply for, Accept and Expend Grant - Community Development Block Grant Entitlement, FY2010-2011 - $22,267,380]

Sponsor: Mayor

Resolution approving the FY2010-2011 Community Development Block Grant Program; authorizing the Mayor, on behalf of the City and County of San Francisco, to apply for, accept, and expend the City's FY2010-2011 Community Development Block Grant Program entitlement from the U.S. Department of Housing and Urban Development in the amount of $22,267,380 and to expend program income in the amount of $4,886,000.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

From the Budget and Finance Sub-Committee Without Recommendation

091269 [Payroll Expense Tax Biotechnology Exclusion Amendment]
Sponsors: Alioto-Pier; Dufty

Ordinance amending Section 906.1 of the San Francisco Business and Tax Regulations Code to clarify the definition of "biotechnology business" and to allow applicants to claim the biotechnology exclusion for seven and one half (7.5) years irrespective of the application date.
(Fiscal Impact.)

Privilege of the floor was granted to Jennifer Matz (Office of Economic and Workforce Development) who responded to questions raised throughout the discussion regarding File No. 091269.

Supervisor Maxwell, seconded by Supervisor Alioto-Pier, moved that this Ordinance be AMENDED on Page 3, Lines 1-2, by adding 'which shall include participation in the City's First Source Hiring Program as defined in Section 83.4 of the Administrative Code.' The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Mirkarimi, seconded by Supervisor Maxwell, moved that this Ordinance be AMENDED on Page 3, Lines 12-17, by adding '(5) File annual affidavits with the Office of Economic and Workforce Development detailing the total number of individuals hired, the number of individuals hired who were referred by the San Francisco Workforce Development System, and the duration of employment for each individual hired. The affidavits must be filed with the Office of Economic and Workforce Development on or before January 31 of every year after the year the application is first approved.' The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 9 - Alioto-Pier, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 2 - Avalos, Daly

100399 [Contract Modification with Acumen Fiscal Agent, LLC, for the Jobs Now Program - $53,995,000]
Sponsor: Mayor

Resolution approving the emergency declaration to modify the contract between the City and County of San Francisco and Acumen Fiscal Agent, LLC, to provide private employer based wage subsidy reimbursements under the City's Jobs Now Program for qualified Jobs Now participants during the period of March 25, 2010, to June 30, 2011, in the additional amount of $10,000,000 for a total modified contract amount of $19,995,000.

Privilege of the floor was granted to Cheryl Adams (City Attorney's Office), Ben Rosenfield (Controller), and Trent Rhorer (Human Services) who responded to questions raised throughout the discussion regarding File No. 100399.

Supervisor Avalos, seconded by Supervisor Campos, moved that this Resolution be RE-REFERRED to the Budget and Finance Sub-Committee. The motion carried by the following vote:

Ayes: 8 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 3 - Alioto-Pier, Chu, Elsbernd

From the City Operations and Neighborhood Services Committee with Recommendation "Do Not Pass"

100103 [Prohibition on Tobacco Sales Within 1,000 Feet of a School]
Sponsor: Mayor
Ordinance amending the San Francisco Health Code by amending Section 1009.53 and by adding Article 19L, Sections 1010.5 through 1010.11, to prohibit the sale of tobacco within 1,000 feet of any public or private school.

Supervisor Avalos, seconded by Supervisor Mirkarimi, moved that this Ordinance be RE-REFERRED to the City Operations and Neighborhood Services Committee. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Chu, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Alioto-Pier introduced, welcomed, and presented Certificates of Honor to Dr. Dave Atkin and Dr. Karen Makely, from Operation Rainbow of St. Luke's Hospital, in recognition of their accomplishments and continued community support.

Supervisor Alioto-Pier introduced, welcomed, and presented Certificates of Honor to Leigh Maurus and Amy Hall McNamara, along with Lucy Hume, Lana Adair, Meg Bertero, and Melissa Barber, from the Friends of the Presidio Heights Playground, in recognition of their accomplishments and continued community support.

Supervisors Chiu, Chu, and Mar, in conjunction with the Asian Pacific American Heritage Month and the Asian Pacific American Heritage Awards Committee, introduced, welcomed, and presented Certificates of Honor to Harriet Hu, Thomas Li, Anna Liu, Jane Xiao, Dr. Edward Chow, Thuy Doan, Maimai Q. Ho, and representatives from the Asian and Pacific Islander Wellness Center, Asian Student Union, California Dragon Boat Association, and Kearney Street Workshop in recognition of their accomplishments and continued community support.

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to David Noyola, Legislative Aide, in recognition of his accomplishments during his tenure with the Board of Supervisors.

SPECIAL ORDER 4:00 P.M.

100447 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 1111 California Street (Nob Hill Masonic Center) Project]

Hearing of persons interested in or objecting to the decision of the Planning Department dated February 18, 2010, Case No. 2009.0183E, that a project located at 1111 California Street is exempt from environmental review under Categorical Exemption, Class 32 (State CEQA Guidelines Section 15332). The proposed project involves interior changes to the building, which would result in an increase of the person-occupancy of the Masonic auditorium from 3,282 to 3,500 (an increase in 218 persons) for standing concert events and a reduction in the person-occupancy of the Exhibition Hall by 220 persons. A maximum of 95 evening live entertainment events would be held at the Masonic Center annually, compared to an average of about 50 such events in recent years. The project would not result in any exterior modifications or changes to the building envelope. The project site is located at the southeast corner of California and Taylor Streets on a block bounded by Jones and Pine Streets in the Nob Hill neighborhood on property within the RM-4 (Residential Mixed, High-Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, on property located at 1111 California Street (Nob Hill Masonic Center), Lot No. 020 in Assessor's Block No. 0253. (District 3) (Appellants: Aldo Caccamo, Rich Hanson, Amy Harmer, Adria Price, William Terrell, Elizabeth Pomada, Donna Muse, and David Chow; and David Millstein, on behalf of Lee Saylor.) (Clerk of the Board)
(Filed April 5, 2010; Companion Measure to File Nos. 100448, 100449, 100450.)

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of an additional CEQA Appeal from Steven Gomez (Nob Hill Coalition), which was received on Friday, April 30, 2010. Cheryl Adams (City Attorney's Office) responded to the question relating to receipt of the additional appeal. President Chiu announced the opportunity for this additional appellant to speak under public comment. The President inquired as to whether any member of the public wished to address the Board relating to both the CEQA or Conditional Use Appeals. David Millstein, Lee Saylor, Rich Hanson, Aldo Caccamo, David Chow, Enrique Landa, Adria Price, Bill Terrell, and Elizabeth Pomada (Appellants) provided an overview of the appeal and further requested the Board to approve the appeals. Denise Rene; Richard Howel; Alyssa Spinner; Steven Gomez (Nob Hill Coalition); Gary Dillo; Catherine Anderson; Female Speaker; Robert Varne; David Stauffer; Michael Larsen; Phil Gough; Male Speaker; Male Speaker; Rene Sessa; Oron Maher; Phyllis Quinn; Scott Gross; Nelson Dudley; Male Speaker; Female Speaker; Lawrence Rader; William Moore; John Vargas; Male Speaker; Female Speaker; Steven Patton; Female Speaker; Jerri Crowley; Judith Berkowitz; and Linda Chapman; spoke in support of the appeals. Brett Bollinger, Larry Badiner, AnMarie Rodgers, and Bill Wycko (Planning Department) provided an overview of the decisions of the Planning Department and responded to questions raised throughout the discussion. Allan Casalou and Steve Fidel (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decisions of the Planning Commission. Lee Smith; Shar Brown; Chris Armentrout; Adam Kendall; Alex Paulock; Molly Mann; Ian Glidden; Jodi Goodman; William Martin; Bonnie Simmons; Aaron Zeff; Kristie Reinders; Nicholas Gerry; Morgan Pitman; Daniel Podwil; Rose Krikland; Nellie Yeo; Victoria Wong; Khalil Sweedy; Craig Johnson; Khalil Sweedy; Male Speaker; Steve Buckholds; Stacey Robson; Male Speaker; and Female Speaker; spoke in support of the project and in opposition to the appeal. Alice Barkley (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

100448 [Affirming Planning Department Determination of Exemption for 1111 California Street (Nob Hill Masonic Center) Project]
Motion affirming the determination by the Planning Department that the project located at 1111 California Street (Nob Hill Masonic Center) is exempt from environmental review. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Alioto-Pier

100449 [Reversing Planning Department Determination of Exemption Issued for 1111 California Street (Nob Hill Masonic Center) Project]
Motion reversing the determination by the Planning Department that the 1111 California Street (Nob Hill Masonic Center) project is exempt from environmental review. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Daly, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Alioto-Pier

100450 [Preparation of Findings to Reverse the Determination of Exemption for the 1111 California Street (Nob Hill Masonic Center) Project]
Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 1111 California Street (Nob Hill Masonic Center) is exempt from environmental review. (Clerk of the Board)

Supervisor Dufty, seconded by Supervisor Daly, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Alioto-Pier

SPECIAL ORDER 4:00 P.M.

100451 [Public Hearing - Appeal of Conditional Use for 1111 California Street]
Hearing of persons interested in or objecting to the decision of the Planning Commission by its Motion No. 18042 dated March 4, 2010, relating to the approval, of a conditional use authorization (Case No. 2008.1072C), to change the existing non-conforming entertainment use of the "Nob Hill Masonic Center" to "Other Entertainment," pursuant to Planning Code Sections 182(B)(1) and 723.48, and to add permanent food and beverage service for patrons of entertainment and assembly events, pursuant to Planning Code Section 238(D), on a property within the RM-4 (Residential Mixed, High-Density) District, the 65-A Height and Bulk District, and the Nob Hill Special Use District, on property located at 1111 California Street, Lot No. 020 in Assessor's Block No. 0253. (District 3) (Appellants: William Terrell, Aldo Caccamo, Chris Freeman, Enrique Landa, Elizabeth Pomada, and Donna Muse) (Clerk of the Board)
(Filed April 5, 2010; Companion Measure to File Nos. 100452, 100453, 100454.)

See File No. 100447 above.

HEARD AT PUBLIC HEARING

100452 [Approving Planning Commission Decision Related to Conditional Use Appeal for 1111 California Street]

Motion approving decision of the Planning Commission by its Motion No. 18042, approving Conditional Use Application No. 2008.1072C on property located at 1111 California Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Alioto-Pier

100453 [Disapproving Planning Commission Decision Related to Conditional Use Appeal for 1111 California Street; Approving Conditional Use with Amended and Additional Conditions]

Motion disapproving decision of the Planning Commission by its Motion No. 18042, approving Conditional Use Application No. 2008.1072C on property located at 1111 California Street. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Motion be AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Alioto-Pier

Motion disapproving decision of the Planning Commission by its Motion No. 18042, approving Conditional Use Application No. 2008.1072C on property located at 1111 California Street; Motion authorizing conditional use subject to the conditions imposed by the Planning Commission, by its Motion No. 18042, as amended by the Board on May 4, 2010, and subject to additional conditions imposed by the Board of Supervisors on May 4, 2010. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED AS AMENDED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Alioto-Pier

100454 [Preparation of Findings Related to the Conditional Use Appeal for 1111 California Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2008.1072C on property located at 1111 California Street, for action by the Board by May 25, 2010. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Mirkarimi, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Alioto-Pier

COMMITTEE REPORTS

Recommendations of the Land Use and Economic Development Committee

100332 [Revisions to Integrated Project Delivery Construction Contracting Procedures; Signature Authority for Administrative Code Chapter 6 Contracts and Related Documents]
Sponsors: Maxwell; Mar and Chiu
Ordinance amending San Francisco Administrative Code Chapter 6 to revise Section 6.68 concerning integrated project delivery contracting procedures and revise Subsection 6.1(H) to allow a department head to designate an individual to execute, on his or her behalf, contracts awarded under Chapter 6 and related documents.

Supervisors Chiu and Daly requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100333 [Bid Discount for Small and Micro-Local Business Enterprises that Joint Venture to Bid on Construction Contracts]
Sponsors: Maxwell; Mar and Chiu
Ordinance amending Administrative Code Section 14B.7(F) to grant bid discounts to Small and Micro-Local Business Enterprises that joint venture with other firms to bid on construction contracts.

Supervisor Chiu requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdullah Megaheed; expressed various concerns in Arabic and English.
James Chaffee; expressed concerns relating to the SF Public Library.
Colin Gallagher; expressed various concerns.
Ray Hartz; expressed concerns relating to government.
Toni Dukes; expressed concerns relating to recent layoffs.
Walter Paulson; shared in song certain concerns with the Board.
Edmond Juicy; expressed various concerns.
Peter Warfield; expressed concerns relating to the SF Public Library.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

100244 [Declaring May 2010 Building Safety Month]
Sponsor: Avalos
Resolution declaring May 2010 as Building Safety Month in the City and County of San Francisco and urging support for supporting public safety efforts by the Department of Building Inspection and recognizing public employees for their contributions to San Francisco's structural safety and well-being.
ADOPTED

100257 [Calling for Comprehensive Immigration Reform and Condemning Immigration and Customs Enforcement Audits of San Francisco Businesses]
Sponsors: Campos; Mar, Avalos, Mirkarimi, Chiu, Dufty, Elsbernd, Daly, Alioto-Pier and Maxwell
Resolution calling upon United States Congress to pass Comprehensive Immigration Reform that will solve the problem of undocumented immigration at its roots instead of through piecemeal enforcement-only measures, and condemning Immigration and Customs Enforcement audits of San Francisco businesses, including a unionized company.
Supervisor Maxwell requested to be added as a co-sponsor.
ADOPTED

100285 [Federal Disaster Corps Grants Administered by the California Volunteers]
Sponsor: Mayor
Resolution authorizing designated City and County of San Francisco officials to execute and file on behalf of the City and County of San Francisco, a public entity established under the laws of the State of the California, any applications or agreements and to take any actions necessary to obtain federal financial assistance through the federal Disaster Corps Grant administered by California Volunteers.
ADOPTED

100286 [Supporting Assembly Bill 1900 Relating to Inmates]
Sponsor: Mirkarimi
Resolution urging the State Legislature to pass Assembly Bill 1900 relating to inmates.
ADOPTED

100220 [Committee of the Whole - Public Hearing on Adopting a Resolution to Acquire Real Property Interests by Eminent Domain]
Sponsor: Mayor
Motion that the Board of Supervisors hold a public hearing on May 18, 2010, at 3:00 p.m., with the Board of Supervisors, sitting as a Committee of the Whole, to consider adopting a Resolution of Necessity to authorize acquisition of: (1) a temporary interest in real property in Alameda County known as Assessor's Parcel #513-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary interest in real property in Alameda County known as Assessor's Parcel # 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary interest and a permanent interest in portions of real property in Alameda County known as Assessor's Parcel # 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1.

APPROVED

100489 [Final Map 3191 - 1124 Leavenworth Street]
Motion approving Final Map 3191, a Six Unit Residential Condominium Project, located at 1124 Leavenworth Street being a subdivision of Lot No. 015 in Assessors Block No. 0247 and adopting findings pursuant to the General Plan and City Planning Code Section 101.1 (Public Works Department)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Daly requested that File No. 100006 be severed so that it may be considered separately.

100006 [Authorizing the Director of Elections to Make Confidential Certain Voter Registration Information Pertaining to Public Safety Officers]
Sponsor: Chiu
Resolution authorizing the Director of Elections to, upon proper application of a public safety officer, make confidential that officer's residential address, telephone number and e-mail address appearing on the affidavit of registration, in accordance with California Elections Code Section 2166.7.

REFERRED to the Public Safety Committee

Supervisors Campos and Elsbernd requested that File No. 100256 be severed so that it may be considered separately.

100256 [Calling for a Boycott of the State of Arizona and Arizona-Based Businesses Until Arizona Repeals Senate Bill 1070]
Sponsors: Campos; Chiu, Avalos, Dufty, Daly, Mirkarimi and Mar
Resolution denouncing Arizona State Senate Bill 1070, a law that seeks to implement Arizona's own scheme of immigration regulation and will inevitably lead to racial profiling of people of color and limited English proficient persons, calling for a boycott of the State of Arizona and Arizona-based businesses, and endorsing the City Attorney's offer to cooperate in a lawsuit challenging Arizona State Senate Bill 1070.

Supervisor Campos, seconded by Supervisor Avalos, moved that this Resolution be AMENDED on Page 2, Line 17, by deleting '(1)' after 'City Departments;' on Page 2, Line 18, by adding '(1)' before 'to refrain from entering;' on Page 3, Line 18, by adding 'Interim' before 'President;' and replacing 'Myles Brand' with 'Jim Isch.' The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Elsbernd, seconded by Supervisor Chu, moved that this Resolution be CONTINUED AS AMENDED to May 11, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

Ordinances

100354 [Annual Appropriation Ordinance for Selected Departments, as of May 1, 2010, FYs Ending June 30, 2011, and June 30, 2012]
Sponsor: Mayor
Ordinance appropriating all estimated receipts and all estimated expenditures for Selected Departments of the City and County of San Francisco as of May 1, 2010, for the FYs ending June 30, 2011, and June 30, 2012.

05/01/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100355 [Proposed Annual Salary Ordinance for Selected Departments, FYs Ending June 30, 2011, and June 30, 2012]

Sponsor: Mayor

Proposed Annual Salary Ordinance enumerating positions in the Annual Budget and Appropriation Ordinance for Selected Departments of the City and County of San Francisco for the FYs ending June 30, 2011, and June 30, 2012.

05/03/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100363 [Revising Board of Appeals Surcharges]

Sponsor: Mayor

Ordinance amending San Francisco Administrative Code, Chapter 10G, Section 10G.1 to adjust the surcharges on permit fees, license fees, permit review fees and permit and license renewal fees imposed by the Department of Building Inspection, the Planning Commission, the San Francisco Municipal Transportation Agency Board of Directors, the Department of Public Works, the Entertainment Commission, and the Department of Public Health for permits and licenses that may be appealed to the Board of Appeals; remove the surcharge imposed by the Art Commission for Street Artist Certificates; and making environmental findings.

05/03/10; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Committee, expires on 6/3/2010.

100527 [Accept and Expend Grant - Human Services Agency's Temporary Assistance to Needy Families Emergency Contingency Fund as Part of the American Recovery and Reinvestment Act of 2009 and Amendment to the Annual Salary Ordinance, FY2009-2010 - $20,014,497]

Sponsor: Mayor

Ordinance amending the FY2009-2010 Annual Salary Ordinance (Ordinance No. 183-09) to reflect the addition of temporary and permanent salaries of $8,496,952 and authorizing the Human Services Agency to retroactively accept and expend a grant in the amount of $20,014,497 from the United States Department of Health and Human Services, Temporary Assistance to Needy Families Emergency Contingency Fund, as part of the American Recovery and Reinvestment Act of 2009, to support the Mayor's Jobs NOW Program.

05/04/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100528 [Exempting Certain Nonprofits from Guide Permit Requirement]

Sponsor: Alioto-Pier

Ordinance amending the San Francisco Police Code by amending Section 1295 to exempt nonprofit organizations conducting educational tours from the requirement to obtain a guide permit.

05/04/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 6/3/2010.

100529 [Creation of Neighborhood Community Justice Task Force]

Sponsors: Chiu; Maxwell, Alioto-Pier, Mar, Daly and Campos

Ordinance amending the San Francisco Administrative code by adding Sections 5.70 through 5.75, to create a Neighborhood Community Justice Task Force to make recommendations to the Board of Supervisors regarding the creation of restorative and community justice programs; provide for the Task Force's membership, organization, and duties; and set a sunset date for the Task Force.

05/04/10; RECEIVED AND ASSIGNED to Public Safety Committee.

100530 [Delivery Service for Large Retail Uses Within the Ocean Avenue Neighborhood Commercial Transit District]
Sponsors: Elsbernd; Avalos
Ordinance amending the San Francisco Planning Code by amending Section 151.1 to exclude large retail uses within the Ocean Avenue Neighborhood Commercial Transit District from the requirement to provide delivery or shuttle services when such uses receive conditional use authorization to provide a greater number of off-street parking spaces.

05/04/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/3/2010.

100557 [Assessment Appeals Board - Increasing Administrative Processing Fees, Adding Certain Waivers, and Changing to an Hourly Rate for Findings of Fact Fees]
Sponsor: Avalos
Ordinance amending Administrative Code Chapter 2B "Assessment Appeals Boards," by amending Section 2B.9 to increase the administrative processing fee per application from $30 to $45 by adding a fee waiver for any property assessed on the roll at a value of $7,500 or less, and by adding a fee waiver for any property where there is a difference of $7,500 or less between the taxpayer's opinion of value on the application and the subject property's assessed value on the roll; and by amending Section 2B.11 to change the findings of fact fees from a sliding scale of $100 to $1,000 to an hourly rate of $215 with a maximum of 30 hours billed.

05/04/10; ASSIGNED UNDER 30 DAY RULE to Budget and Finance Sub-Committee.

Resolutions

100006 [Authorizing the Director of Elections to Make Confidential Certain Voter Registration Information Pertaining to Public Safety Officers]
Sponsor: Chiu
Resolution authorizing the Director of Elections to, upon proper application of a public safety officer, make confidential that officer's residential address, telephone number and e-mail address appearing on the affidavit of registration, in accordance with California Elections Code Section 2166.7.

04/27/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

05/04/10; REFERRED to Public Safety Committee.

100362 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]
Sponsor: Mayor
Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee and public parking management services, general security services, information booth services, and shuttle bus services (Airport); paratransit services, comprehensive facility security services, parking citation and collection system, meter coin counting and collection services, towing contract services, and transit shelter maintenance services (MTA); and janitorial services and security services (Port).

05/03/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100531 [Accept and Expend Grant - San Francisco Arts Commission's WritersCorps Artist in Schools Program - $9,600]

Sponsor: Mayor

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant totaling $9,600 from the California Arts Council's Artists in Schools Program to help support the cost of a contracted teaching artist working at Mission High School.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100532 [Accept and Expend Grant - National Endowment for the Arts Learning in the Arts Program for the San Francisco Arts Commission's WritersCorps Program - $60,000]

Sponsor: Mayor

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $60,000 from the National Endowment for the Arts Learning in the Arts Program for general operating support for WritersCorps.

05/04/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100533 [Accept and Expend Grant - San Francisco Arts Commission's Arts Education Program - $15,000]

Sponsor: Mayor

Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $15,000 from the California Arts Council State Local Partnership Program to help support the Arts Commission's Arts Education Program.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100534 [Water Revenue Bonds Issuance - 2010]

Sponsor: Mayor

Resolution approving the issuance of water revenue bonds and water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters.

05/04/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100535 [Authorization to Apply for a Grant for Strategic Growth Council Urban Greening]

Sponsor: Campos

Resolution authorizing the San Francisco Planning Department to apply for a grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 to augment the greening and storm water features of the Cesar Chavez Street Redesign Project.

05/04/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100536 [Accept and Expend Grant - Public Health Emergency Response Phase IV - $849,417]

Sponsor: Chu

Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $849,417 from the California Department of Public Health, to assist with a project entitled "Public Health Emergency Response Phase IV" for the period of March 1, 2010 through July 30, 2010.

05/04/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100537 [Calling for a Boycott of the Major League Baseball Team Arizona Diamondbacks Until Arizona Repeals Senate Bill 1070]

Sponsor: Daly

Resolution calling for a boycott of the Arizona Diamondbacks, an Arizona-based business, until Arizona repeals Senate Bill 1070 and supporting the San Francisco Giants.

05/04/10; RECEIVED AND ASSIGNED to Rules Committee.

100538 [Supporting Outreach and Education Regarding Smart Meters to Prevent Power Service Disconnections]

Sponsor: Mar

Resolution supporting outreach and education regarding Smart Meters to prevent power service disconnections.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100539 [Request for Redevelopment Agency Audit]

Sponsors: Mirkarimi; Campos

Resolution requesting the Redevelopment Agency of the City and County of San Francisco to consent to an audit of selected activities related to the implementation of the expired Western Addition A-2 Redevelopment Plan.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100540 [Opposing the Dirty Energy Proposition, also known as Attorney General Initiative #09-0104]

Sponsors: Mirkarimi; Alioto-Pier, Maxwell, Campos and Mar

Resolution opposing the Dirty Energy Proposition, also known as Attorney General Initiative # 09-0104 designed to suspend the implementation of The California Global Warming Solutions Act of 2006.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100541 [Grant Application - Strategic Growth Council Urban Greening Program]

Sponsor: Mar

Resolution authorizing the San Francisco Planning Department to apply for a planning grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to complete an Urban Forest Master Plan.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100542 [Acceptance of Gift - Airport Congressman Tom Lantos Commemorative Plaque - $15,000]

Sponsors: Elsbernd; Dufty and Alioto-Pier

Resolution approving the Airport's acceptance of a gift of a commemorative plaque, valued at $15,000, honoring the late Congressman Tom Lantos from the Lantos Foundation to be placed in the Terminal 3 Hub at the Airport.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100543 [Requesting the Controller's Office to Conduct a Review and Analysis of the Funding Recommendations of the Department of Children, Youth and Their Families for FY2010-2011 through FY2012-2013]

Sponsors: Dufty; Campos, Maxwell, Chiu and Mar

Resolution requesting that the Controller's Office conduct a review and analysis of the funding recommendations of the Department of Children, Youth and Their Families for FY2010-2011 through FY2012-2013.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100544 [Urging our Federal Representatives to Denounce the Burmese Military Regime's Illegitimate 2010 Election and Recognizing May 27, 2010, as Burma Democracy Day]

Sponsor: Daly

Resolution denouncing the Burmese military regime's illegitimate 2010 election and recognizing May, 27, 2010, as Burma Democracy Day in honor of the 20th Anniversary of the 1990 Elections.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100545 [Proclaiming Public Works Week in San Francisco - May 16-22, 2010]

Sponsors: Chiu; Campos

Resolution proclaiming May 16-22, 2010, as Public Works Week in San Francisco.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100546 [Accept and Expend Grant - Back on Track Re-entry Program - $52,355.57]

Sponsor: Chiu

Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $52,355.57 through the San Francisco Foundation, for a program entitled "Back on Track Re-entry Program" for FY2009-2010 and FY2010-2011.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100547 [Accept and Expend Grant - Criminal Restitution Compact - $88,538]
Sponsor: Chiu
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively contract for, accept and expend up to $88,538 allocated from the California Victim Compensation and Government Claims Board for a project entitled "Criminal Restitution Compact" for the period of July 1, 2009, through June 30, 2011.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100548 [Supporting Assembly Bill 1871 Regarding Amending State Car Insurance Laws to Allow Personal Vehicles to be Used in Car-Sharing Programs]
Sponsors: Alioto-Pier; Chiu and Campos
Resolution supporting Assembly Bill 1871 to amend state car insurance laws to allow personal vehicles to be used in car-sharing programs.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100549 [Approving the Issuance of Revenue Bonds by California Municipal Finance Authority to Acquire the Public Utilities Commission Building]
Sponsor: Daly
Resolution approving the issuance of revenue bonds by the California Municipal Finance Authority for the purposes of financing or refinancing the acquisition of the State office buildings known as the Public Utilities Commission Building and/or the San Francisco Civic Center and certain other matters pertaining thereto.

05/04/10; ASSIGNED to Board of Supervisors.

100558 [Urging the United States Department of Agriculture to Declare the Light Brown Apple Moth a Non-Actionable Pest]
Sponsors: Alioto-Pier; Mirkarimi
Resolution urging the United States Department of Agriculture to declare the Light Brown Apple Moth a non-actionable pest in order to end the Light Brown Apple Moth eradication project that could expose San Franciscans to unacceptable and unnecessary levels of pesticide exposure.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

100550 [Committee of the Whole - Issuance of Revenue Bonds by the California Municipal Finance Authority - May 18, 2010]
Sponsor: Daly
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 18, 2010, at 3:00 p.m., to hold a public hearing on the issuance of revenue bonds by the California Municipal Finance Authority for the purpose of financing or refinancing the acquisition of the State office buildings known as the Public Utilities Commission Building and/or the San Francisco Civic Center.

05/04/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100551 [Rejecting the Municipal Transportation Agency Budget for FY2010-2011 and 2011-2012]
Sponsors: Chiu; Mirkarimi
Motion rejecting the budget of the Municipal Transportation Agency for FY2010-2011 and FY2011-2012.
05/04/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests for Hearing

100353 [Mayor's Proposed May Budget FY2010-2011]
Sponsor: Mayor
Hearing to review the Mayor's Proposed May Budget FY2010-2011.
05/03/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100552 [Planning Department Discretionary Review Process and Reform]
Sponsor: Mar
Hearing to obtain updates from the Planning Department concerning the discretionary review process.
05/04/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100553 [Audit Results of the San Francisco Municipal Transportation Agency]
Sponsor: Campos
Hearing on the results of the Budget and Legislative Analyst's audit of the San Francisco Municipal Transportation Agency.
05/04/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100554 [State's Budget for FY2010-2011]
Sponsor: Avalos
Hearing to discuss the State's budget for FY2010-2011.
05/04/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100555 [Controller's Nine Month Report]
Sponsor: Avalos
Hearing on the Controller's Nine Month Report.
05/04/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by President at Request of Department

PROPOSED ORDINANCES

100358 [Settlement of Lawsuit - Noah Booher - $35,000]
Ordinance authorizing settlement of the lawsuit filed by Noah Booher against the City and County of San Francisco for $35,000; the lawsuit was filed on March 10, 2009, in the United States District Court for the Northern District of California, Case No. C08-1045 MHP, entitled Noah Booher v. City and County of San Francisco et al. (City Attorney)

04/23/10; RECEIVED AND ASSIGNED to Rules Committee.

100359 [Settlement of Lawsuit - Betty C. Bullock - $134,000]
Ordinance authorizing settlement of the lawsuit filed by Betty C. Bullock against the City and County of San Francisco for $134,000; the lawsuit was filed on December 1, 2008, in San Francisco Superior Court, Case No. 482347; entitled Betty C. Bullock v. City and County of San Francisco, et al. (City Attorney)

04/23/10; RECEIVED AND ASSIGNED to Rules Committee.

100360 [Recreation and Park Department - Harding Park Fees]
Ordinance amending the San Francisco Park Code by amending Section 12.12, to increase greens fees at Harding Park and Fleming Golf Courses, and making environmental findings. (Recreation and Park Department)

04/26/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100361 [Settlement of Lawsuit - Assimina Mavromatis - $29,500]
Ordinance authorizing settlement of the lawsuit filed by Assimina Mavromatis against the City and County of San Francisco for $29,500; the lawsuit was filed on July 6, 2007, in San Francisco Superior Court, Case No. CGC 07-464948; entitled Assimina Mavromatis, et al., v. City and County of San Francisco, et al. (City Attorney)

04/26/10; RECEIVED AND ASSIGNED to Rules Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irvine and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

55 Laguna
528 Haight
300 Buchanan
463 Fillmore
1023 Haight
1027 Haight
546 Haight
973 Haight
5 Haight
400 Duboce
350 Laguna

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Wood Pole
Southeast corner Haight & Fillmore

Metal Poles
Southeast corner Pine & Fillmore
In front of 865 Fillmore
Southwest corner Gough & Ivy
Northwest corner Haight & Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes
Southwest corner Geary & Webster
Northeast corner Ivy & Buchanan
Near 940 Fillmore
Northwest corner Fillmore & Hermann
Northwest corner Duboce & Church

Bus Shelters
Southwest corner Pierce & Haight
Southeast corner Hayes & Buchanan
Southeast corner Buchanan & Haight
Southwest corner McAllister & Pierce
Fillmore & Haight (all 4 bus stops, graffiti & grime)

Fire Hydrant
Southwest corner McAllister & Fillmore

Emergency Boxes
Southwest corner Eddy & Webster

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
Southwest corner Golden Gate & Buchanan
Northwest corner Haight & Fillmore
Southwest corner Waller & Fillmore

Mailbox
Southwest corner Bush & Webster
Northwest corner Sutter & Fillmore
Northeast corner McAllister & Buchanan
Northwest corner Golden Gate & Buchanan
Northeast corner Pierce & Golden Gate

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes and sidewalk issues at the following locations: On Lincoln, west of Stanyan, several potholes.

From: Supervisor Chiu
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to prepare an Administrative Code amendment to require City departments to enter into written work order agreements when purchasing services from another City department, under the following conditions:
- *These agreements shall be required for all major or complex work-order relationships, as determined by the Controller.*
- *These agreements shall be approved by both departments in advance of the fiscal year in which services are to be provided.*
- *These agreements shall be in a form approved by the Controller, and shall detail services to be provided, means of reconciling budgeted to actual costs, and documentation required to accompany each work-order billing.*

In Memoriams

Seymour Newstat – Supervisors Dufty and Alioto-Pier
Quentin Easter – Supervisors Maxwell and Dufty
Calvin P. Hayes – Supervisor Maxwell
Victoria Manolo Draves – Supervisor Daly
Theodore Tobias Rosenberg – Supervisor Dufty
Scott Whitsett – Supervisor Dufty

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 9:10 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 8, 2010.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 16 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, May 11, 2010 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos	Wednesday 1:30 PM
Budget and Finance Sub-Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Dufty	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: Michela Alioto-Pier, John Avalos, David Campos, David Chiu, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar, Sophie Maxwell and Ross Mirkarimi

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:10 p.m. On the call of the roll, all Supervisors were noted present.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Campos, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of April 13, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

100246 [Permits the Bureau of Delinquent Revenue to Assign Accounts Receivable with a Value of $10,000 or Less to a Collection Agency]

Sponsor: Mirkarimi

Ordinance amending Section 10.39-1 of the Administrative Code to increase the cap on accounts receivable that the Bureau of Delinquent Revenue may assign to a collection agency from $4,000 to accounts with a fair market value of $10,000. (Treasurer-Tax Collector)

FINALLY PASSED

100247 [Additional Penalty for Underreporting Tax by Twenty-five Percent or More]

Ordinance amending Section 6.17-2 of the Business and Tax Regulations Code by adding an additional "substantial underreporting" penalty equal to fifty percent of the unreported tax for underreporting a tax liability by twenty-five percent or more. (Treasurer-Tax Collector)

FINALLY PASSED

100471 **[Accept and Expend Grant - American Recovery and Reinvestment Act Energy Efficiency Projects and Amendment to the Annual Salary Ordinance, FY2009-2010 - $875,957]**

Sponsors: Mayor; Dufty

Ordinance authorizing the Department of the Environment to expend a grant in the amount of $875,957 from the California Energy Commission's State Energy Program through the Association of Bay Area Governments for the deployment of energy efficiency projects in the City and County of San Francisco and amend Ordinance Number 183-09 to reflect the addition of three (3) grant funded positions in the Department of the Environment.

FINALLY PASSED

100419 **[Airport Concession Lease with Wells Fargo Bank, N.A.]**

Resolution approving the Domestic Terminals Automated Teller Machines Lease "A," between Wells Fargo Bank, N.A., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

ADOPTED

100420 **[Airport Concession Lease with JPMorgan Chase Bank, N.A.]**

Resolution approving the Domestic Terminals Automated Teller Machines Lease "B," between JPMorgan Chase Bank, N.A., and the City and County of San Francisco, acting by and through its Airport Commission. (Airport Commission)

ADOPTED

100441 **[Approval of FY2010-2011 Expenditure Plan for the Human Services Care Fund]**

Resolution approving the FY2010-2011 Expenditure Plan for the Human Services Care Fund. (Human Services Department)

ADOPTED

Recommendations of the Land Use and Economic Development Committee

100332 **[Revisions to Integrated Project Delivery Construction Contracting Procedures; Signature Authority for Administrative Code Chapter 6 Contracts and Related Documents]**

Sponsors: Maxwell; Mar, Chiu and Daly

Ordinance amending San Francisco Administrative Code Chapter 6 to revise Section 6.68 concerning integrated project delivery contracting procedures and revise Subsection 6.1(H) to allow a department head to designate an individual to execute, on his or her behalf, contracts awarded under Chapter 6 and related documents.

FINALLY PASSED

100333 **[Bid Discount for Small and Micro-Local Business Enterprises that Joint Venture to Bid on Construction Contracts]**
Sponsors: Maxwell; Mar and Chiu
Ordinance amending Administrative Code Section 14B.7(F) to grant bid discounts to Small and Micro-Local Business Enterprises that joint venture with other firms to bid on construction contracts.

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

REGULAR AGENDA

UNFINISHED BUSINESS

From the Budget and Finance Sub-Committee Without Recommendation

091269 **[Payroll Expense Tax Biotechnology Exclusion Amendment]**
Sponsors: Alioto-Pier; Dufty
Ordinance amending Section 906.1 of the San Francisco Business and Tax Regulations Code to clarify the definition of "biotechnology business" and to allow applicants to claim the biotechnology exclusion for seven and one half (7.5) years irrespective of the application date.
(Fiscal Impact.)

FINALLY PASSED by the following vote:

Ayes: 9 - Alioto-Pier, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 2 - Avalos, Daly

Recommendation of the Land Use and Economic Development Committee

090584 **[Requiring Lighting Efficiency Measures in Commercial and City Buildings]**
Sponsors: Dufty; Mayor and Chiu

Ordinance amending the San Francisco Building Code by adding a new Chapter 13D, Sections 1301D through 1311D, to require commercial buildings to increase efficiency of fluorescent lighting by the year 2011; amending the San Francisco Environment Code by dividing Section 705 into Sections 705 through 705.5 and amending them to require City-owned facilities to increase efficiency of fluorescent lighting; adopting findings required by California Health and Safety Code Section 17958.7 and environmental findings; and directing the Clerk of the Board of Supervisors to forward this ordinance to the California Building Standards Commission upon final passage.

FINALLY PASSED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

100496 **[Accept and Expend Grant - California Emergency Management Agency and Amendment to the Annual Salary Ordinance for FY2009-2010 - $505,599]**
Sponsor: Dufty

Ordinance authorizing the Department of Adult Probation to retroactively accept and expend a grant in the amount of $505,599 from the California Emergency Management Agency for a pilot program funded by Senate Bill 678 designed to improve outcomes for 18-25 year old probationers, and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of one (1) grant-funded position (0.25 FTE) in Class 8444 Deputy Probation Officer at the Department of Adult Probation.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100351 **[Airport 2011 Lease and Use Agreements with Various Airlines]**

Resolution approving a term of twenty five (25) new Lease and Use Agreements between the City and County of San Francisco and various airlines, effective July 1, 2011, to allow such airlines to conduct domestic and international flight operations at the San Francisco International Airport. (Airport Commission)
(Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100352 [Airline and Airport Lease and Use Agreement Modifications and Lease and Operating Agreement Modifications with Various Airlines]

Resolution approving modifications to the terms of eight (8) Airline and Airport Lease and Use Agreements and eleven (11) Lease and Operating Agreements between the City and County of San Francisco and various airlines to allow such airlines to modify the rental of terminal space and modify the terms of one (1) Airline and Airport Lease and Use Agreement to allow for early termination of said Lease and Use Agreement. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendations of the Land Use and Economic Development Committee

091251 [Development Fee Collection Procedure; Administrative Fee]

Sponsors: Mayor; Dufty, Daly, Mirkarimi and Chu

Ordinance amending the San Francisco Building Code by adding Section 107A.13 to establish a procedure for the Department of Building Inspection (DBI) to collect development impact and in lieu fees, to provide that the fees are payable prior to issuance of the first building permit or, in the case where a site permit is issued, the first addendum authorizing construction of the project, with a temporary option for the project sponsor to defer payment of 85 percent of the total amount of fees due, or 80 percent of the total amount of fees due if the project is subject to payment of a neighborhood infrastructure impact development fee, to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge on the amount owed, to require that any in-kind public benefits required in lieu of payment of development fees are implemented prior to issuance of the first certificate of occupancy for the project, to require DBI to generate a Project Development Fee Report prior to issuance of the building or site permit for the project listing all fees due with the opportunity for an appeal of technical errors to the Board of Appeals, to establish a Development Fee Collection Unit within DBI and a fee for administering the program; providing that the ordinance's operative date is July 1, 2010; and adopting findings, including environmental findings.

(Economic Impact.)

Supervisors Daly and Mirkarimi requested to be added as co-sponsors.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

091275 [Development Impact and In-Lieu Fees]
Sponsors: Mayor; Dufty and Chu

Ordinance amending the San Francisco Planning Code to create Article 4 for development impact fees and requirements, move Planning Code Sections 135(j), 135.3(d), 135.3(e), 139, 143, 149, a portion of 249.33, 313-313.15, 314-314.8, 315-315.9, 318-318.9, 319-319.7, 326-326.8, 327-327.6, and 331-331.6 and Chapter 38 of the San Francisco Administrative Code (Transit Impact Development Fee) to Article 4, and renumber and amend the sections; to provide that the Department of Building Inspection will collect the development fees prior to issuance of the first building permit or other document authorizing project construction and verify that any in-kind public improvements required in-lieu of a development fee are implemented prior to issuance of the first certificate of occupancy; to allow a project sponsor to defer payment of a development fee upon agreeing to pay a deferral surcharge (Fee Deferral Program), which option shall expire after three years unless further extended; to require the Planning Commission to hold a hearing prior to expiration of the Fee Deferral Program to review its effectiveness and make recommendations to the Board of Supervisors; to add introductory sections to Article 4 for standard definitions and procedures, delete duplicative code provisions and use consistent definitions, language and organization throughout; to require annual Citywide development fee reports and fee adjustments, and development fee evaluations every five years; to provide that the ordinance's operative date is July 1, 2010; and to instruct the publisher to put a note at the original location of the renumbered sections stating that the text of those sections has been moved and providing the new section number; adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

PASSED ON FIRST READING by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Daly

100048 [Amendment to Solar Energy Incentive Program]
Sponsors: Daly; Mirkarimi and Mar

Ordinance amending the San Francisco Environment Code Sections 18.2, 18.4, 18.7-2, and 18.7-4, to: (1) require all systems receiving City incentives be installed by an individual, firm or organization qualified as a workforce development installer by the Office of Economic & Workforce Development, unless specified exceptions apply, and (2) eliminate increased incentives for residential properties in the case of systems installed by individuals trained under the City workforce development program.

Supervisor Mar requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100492 [Supplemental Agreement to Install an Additional Water Pipeline Over Union Pacific Railroad Company Property in Stanislaus County]

Resolution approving and authorizing a Supplemental Agreement with Union Pacific Railroad Company to install an additional water pipeline within an existing easement area over Railroad property near the City of Oakdale in Stanislaus County required for the San Joaquin Pipeline System Project No. CUW37301 for a fee of $2,500; adopting findings under the California Environmental Quality Act; adopting findings that the conveyance is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Supervisor Mirkarimi, seconded by Supervisor Campos, moved to waive Rule 4.29 of the Rules of Order of the Board of Supervisors to suspend the start time for commendations. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Privilege of the Floor

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guest. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Maxwell introduced, welcomed, and presented a Certificate of Honor to Sunny Buxton, drummer with the Final Billy Strayhorn Trio and co-owner of Jazz at Pearl's in San Francisco in recognition of his accomplishments and continued community support.

SPECIAL ORDER 4:00 P.M.

100252 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 100 - 32nd Avenue]

Hearing of persons interested in or objecting to the decision of the Planning Department dated May 19, 2009, Case No. 2007.0129E, that a project located at 100 - 32nd Avenue is exempt from environmental review under Categorical Exemption, Class 1 (State CEQA Guidelines Section 15301(e)(1)). The proposal would add a three-story side horizontal addition and would enlarge the existing partial fourth floor at the existing four-story, single-family residence located in an RH-1(D) (Residential, House, Single-Family, Detached) District and a 40-X Height and Bulk District, in Assessor's Block No. 1312, Lot No. 008. (District 2) (Appellant: Stephen M. Williams on behalf of Sanford Garfinkel, other neighbors, and the Lincoln Park Neighborhood Association) (Clerk of the Board)

(Filed 3/1/10; Companion Measure to File Nos. 100253, 100254, 100255.)

The President inquired as to whether any member of the public wished to address the Board relating to the proposed continuance to June 8, 2010. There were no speakers. The President continued the public hearing open to June 8, 2010.

Supervisor Alioto-Pier, seconded by Supervisor Mar, moved that this Hearing be CONTINUED to June 8, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100253 [Affirming the Exemption Determination for 100 – 32nd Avenue]

Motion affirming the determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Mar, moved that this Motion be CONTINUED to June 8, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100254 [Reversing the Exemption Determination Issued for 100 – 32nd Avenue]
Motion reversing the determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Mar, moved that this Motion be CONTINUED to June 8, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100255 [Preparation of Findings Related to the Exemption Determination for the 100 – 32nd Avenue]
Motion directing the Clerk of the Board to prepare findings related to the appeal of the exemption determination by the Planning Department that the project located at 100 - 32nd Avenue is exempt from environmental review. (Clerk of the Board)

Supervisor Alioto-Pier, seconded by Supervisor Mar, moved that this Motion be CONTINUED to June 8, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

SPECIAL ORDER 4:00 P.M.

100415 [Public Hearing - Appeal of Determination of Exemption from Environmental Review for 424 Francisco Street]
Hearing of persons interested in or objecting to the decision of the Planning Department dated March 10, 2010, that a project located at 424 Francisco Street (Building Permit Application No. 2004.01.22.4627, Case No. 2009.0914D) is exempt from environmental review under Categorical Exemption, Class 1. The proposal would install a garage opening within the subject building to accommodate six (6) off-street parking spaces. The subject property is within the North Beach Neighborhood Commercial District with a 40-X Height and Bulk District, Lot No. 010 in Assessor's Block No. 0041. (District 3) (Appellants Malcolm Yeung on behalf of Chinatown Community Development Center and Vedica Puri on behalf of Telegraph Hill Dwellers.) (Clerk of the Board) (Filed March 30, 2010; Companion Measure to File Nos. 100416, 100417, 100418.)

The President inquired as to whether any member of the public wished to address the Board. Omar Calimbas (Appellant) provided an overview of the appeal and further requested the Board to approve the appeal. Malcolm Yeung; Zack Stewart; Zack Collins; Wen Ku Le; and Howard Wong: spoke in support of the appeal. Tara Sullivan, Nannie Turrell, and Tim Frye (Planning Department) provided an overview of the decision of the Planning Department and responded to questions raised throughout the discussion. Marlena Byrne (City Attorney's Office) responded to questions raised throughout the discussion. Vincent Marsh and Wilson Yu (Project Sponsors) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Department. York Whittenburg spoke in support of the project and in opposition to the appeal. Omar Calimbas (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

Supervisor Maxwell was noted absent at 4:55 p.m.

HEARD AT PUBLIC HEARING

100416 [Affirming Planning Department Determination of Exemption for 424 Francisco Street]

Motion affirming the determination by the Planning Department that the project located at 424 Francisco Street is exempt from environmental review. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Daly, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Mirkarimi
Noes: 3 - Alioto-Pier, Chu, Elsbernd
Absent: 1 - Maxwell

100417 [Reversing the Planning Department Determination of Exemption Issued for 424 Francisco Street]

Motion reversing the determination by the Planning Department that the 424 Francisco Street project is exempt from environmental review. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Mirkarimi
Noes: 3 - Alioto-Pier, Chu, Elsbernd
Absent: 1 - Maxwell

100418 [Preparation of Findings to Reverse the Planning Department Determination of Exemption for the 424 Francisco Street Project]

Motion directing the Clerk of the Board to prepare findings reversing the exemption determination by the Planning Department that the project located at 424 Francisco Street is exempt from environmental review. (Clerk of the Board)

Supervisor Chiu, seconded by Supervisor Daly, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Daly, Dufty, Mar, Mirkarimi
Noes: 3 - Alioto-Pier, Chu, Elsbernd
Absent: 1 - Maxwell

COMMITTEE REPORTS

Recommendation of the Rules Committee

100522 [Appointment, Board of Appeals - Christine Hwang]

Motion appointing Christine Hwang, term ending July 1, 2014, to the Board of Appeals. (Clerk of the Board)

Christine Hwang, seat 2, succeeding Rafael Mandelman, must be a nominee of the President of the Board of Supervisors approved by the Board of Supervisors, for the term ending on July 1, 2014.

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendation of the Land Use and Economic Development Committee

100330 [Veterans Commons Special Use District - 150 Otis Street]

Sponsors: Chiu; Mirkarimi

Ordinance adding Planning Code Section 249.46 to establish the Veterans Commons Special Use District for property located at 150 Otis Street, Block No. 3513, Lot No. 07; amending the City's Zoning Map, Sheet Nos. HT07 and SU07 to change the height district from 85 to 125 feet and reflect the boundaries of the Veterans Commons Special Use District; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

Supervisor Mirkarimi requested to be added as a co-sponsor.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Abdullah Megaheed; expressed various concerns in Arabic and English.
James Chaffee; expressed concerns relating to the SF Public Library.
Walter Paulson; shared in song certain concerns with the Board.
John DiDonna; expressed support for Hank Williams Sr. prize.
Nancy de Y. Elkus; expressed concerns relating to funding for Meridian Youth Program.
Thao To; expressed concerns relating to funding for Meridian Youth Program.
Peter Selz; expressed concerns relating to funding for Meridian Youth Program.
Carolyn De La Cruz; expressed concerns relating to funding for Meridian Youth Program.
Joshua Hughes; expressed concerns relating to funding for Meridian Youth Program.
Ann Brodzky; expressed concerns relating to funding for Meridian Youth Program.
Richard McRee; expressed concerns relating to technology, inventions and patents.
Emil Lawrence; expressed concerns relating to access to public records.
Nancy Cross; expressed concerns relating to housing for the homeless.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

100531 [Accept and Expend Grant - San Francisco Arts Commission's WritersCorps Artist in Schools Program - $9,600]
Sponsor: Mayor
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant totaling $9,600 from the California Arts Council's Artists in Schools Program to help support the cost of a contracted teaching artist working at Mission High School.
ADOPTED

100533 [Accept and Expend Grant - San Francisco Arts Commission's Arts Education Program - $15,000]
Sponsor: Mayor
Resolution authorizing the San Francisco Arts Commission to retroactively accept and expend a grant in the amount of $15,000 from the California Arts Council State Local Partnership Program to help support the Arts Commission's Arts Education Program.
ADOPTED

100539 [Request for Redevelopment Agency Audit]
Sponsors: Mirkarimi; Campos
Resolution requesting the Redevelopment Agency of the City and County of San Francisco to consent to an audit of selected activities related to the implementation of the expired Western Addition A-2 Redevelopment Plan.
Supervisor Campos requested to be added as a co-sponsor.
ADOPTED

100540 [Opposing the Dirty Energy Proposition, also known as Attorney General Initiative #09-0104]

Sponsors: Mirkarimi; Alioto-Pier, Maxwell, Campos and Mar

Resolution opposing the Dirty Energy Proposition, also known as Attorney General Initiative # 09-0104 designed to suspend the implementation of The California Global Warming Solutions Act of 2006.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED

100541 [Grant Application - Strategic Growth Council Urban Greening Program]

Sponsor: Mar

Resolution authorizing the San Francisco Planning Department to apply for a planning grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) to complete an Urban Forest Master Plan.

ADOPTED

100542 [Acceptance of Gift - Airport Congressman Tom Lantos Commemorative Plaque - $15,000]

Sponsors: Elsbernd; Dufty and Alioto-Pier

Resolution approving the Airport's acceptance of a gift of a commemorative plaque, valued at $15,000, honoring the late Congressman Tom Lantos from the Lantos Foundation to be placed in the Terminal 3 Hub at the Airport.

ADOPTED

100543 [Requesting the Controller's Office to Conduct a Review and Analysis of the Funding Recommendations of the Department of Children, Youth and Their Families for FY2010-2011 through FY2012-2013]

Sponsors: Dufty; Campos, Maxwell, Chiu and Mar

Resolution requesting that the Controller's Office conduct a review and analysis of the funding recommendations of the Department of Children, Youth and Their Families for FY2010-2011 through FY2012-2013.

Supervisor Mar requested to be added as a co-sponsor.

ADOPTED

100545 [Proclaiming Public Works Week in San Francisco - May 16-22, 2010]

Sponsors: Chiu; Campos

Resolution proclaiming May 16-22, 2010, as Public Works Week in San Francisco.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED

100546 [Accept and Expend Grant - Back on Track Re-entry Program - $52,355.57]
Sponsor: Chiu
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively accept and expend a grant in the amount of $52,355.57 through the San Francisco Foundation, for a program entitled "Back on Track Re-entry Program" for FY2009-2010 and FY2010-2011.

ADOPTED

100547 [Accept and Expend Grant - Criminal Restitution Compact - $88,538]
Sponsor: Chiu
Resolution authorizing the Department of the District Attorney of the City and County of San Francisco to retroactively contract for, accept and expend up to $88,538 allocated from the California Victim Compensation and Government Claims Board for a project entitled "Criminal Restitution Compact" for the period of July 1, 2009, through June 30, 2011.

ADOPTED

100548 [Supporting Assembly Bill 1871 Regarding Amending State Car Insurance Laws to Allow Personal Vehicles to be Used in Car-Sharing Programs]
Sponsors: Alioto-Pier; Chiu and Campos
Resolution supporting Assembly Bill 1871 to amend state car insurance laws to allow personal vehicles to be used in car-sharing programs.

Supervisor Campos requested to be added as a co-sponsor.

ADOPTED

100558 [Urging the United States Department of Agriculture to Declare the Light Brown Apple Moth a Non-Actionable Pest]
Sponsors: Alioto-Pier; Mirkarimi
Resolution urging the United States Department of Agriculture to declare the Light Brown Apple Moth a non-actionable pest in order to end the Light Brown Apple Moth eradication project that could expose San Franciscans to unacceptable and unnecessary levels of pesticide exposure.

Supervisor Mirkarimi requested to be added as a co-sponsor.

ADOPTED

100550 [Committee of the Whole - Issuance of Revenue Bonds by the California Municipal Finance Authority - May 18, 2010]
Sponsor: Daly
Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on May 18, 2010, at 3:00 p.m., to hold a public hearing on the issuance of revenue bonds by the California Municipal Finance Authority for the purpose of financing or refinancing the acquisition of the State office buildings known as the Public Utilities Commission Building and/or the San Francisco Civic Center.

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Elsbernd requested that File Nos. 100256 and 100544 be severed so that they may be considered separately.

100256 [Calling for a Boycott of the State of Arizona and Arizona-Based Businesses Until Arizona Repeals Senate Bill 1070]

Sponsors: Campos; Chiu, Avalos, Dufty, Daly, Mirkarimi and Mar

Resolution denouncing Arizona State Senate Bill 1070, a law that seeks to implement Arizona's own scheme of immigration regulation and will inevitably lead to racial profiling of people of color and limited English proficient persons, calling for a boycott of the State of Arizona and Arizona-based businesses, and endorsing the City Attorney's offer to cooperate in a lawsuit challenging Arizona State Senate Bill 1070.

Supervisor Elsbernd moved to divide the question relating to "RESOLVED clauses" located on Page 2, Line 16, through Page 3, Line 5.

The question relating to the RESOLVED clauses was PASSED as divided by the following vote:
Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 1 - Elsbernd

ADOPTED AS DIVIDED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100544 [Urging our Federal Representatives to Denounce the Burmese Military Regime's Illegitimate 2010 Election and Recognizing May 27, 2010, as Burma Democracy Day]

Sponsor: Daly

Resolution denouncing the Burmese military regime's illegitimate 2010 election and recognizing May, 27, 2010, as Burma Democracy Day in honor of the 20th Anniversary of the 1990 Elections.

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Resolution be AMENDED on Page 1, Line 1, by adding 'Urging our Federal Representatives to' before 'Denouncing' and changing 'Denouncing' to 'Denounce;' on Page 1, Line 3, by adding 'urging our Federal representatives to' after 'Resolution' and changing 'denouncing' to 'denounce;' and on Page 3, Line 23, by adding 'to urge our Federal representatives to' after 'Supervisors.' The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Resolution urging our Federal representatives to denounce the Burmese military regime's illegitimate 2010 election and recognizing May 27, 2010, as Burma Democracy Day in honor of the 20th Anniversary of the 1990 Elections.

ADOPTED AS AMENDED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Chu requested that File No. 100538 be severed so that it may be considered separately.

100538 **[Supporting Outreach and Education Regarding Smart Meters to Prevent Power Service Disconnections]**

Sponsor: Mar

Resolution supporting outreach and education regarding Smart Meters to prevent power service disconnections.

Supervisor Chu, seconded by Supervisor Mar, moved that this Resolution be CONTINUED to May 18, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisors or Mayor

Ordinances

100574 **[General Plan Amendments – Candlestick Point Activity Node and Hunters Point Shipyard Phase 2 Project]**

Sponsor: Mayor

Ordinance amending the San Francisco General Plan by amending the Bayview Hunters Point Area Plan, the Transportation Element, the Recreation and Open Space Element, the Commerce and Industry Element, maps and figures in various Elements, and the Land Use Index, and by adopting and adding the Candlestick Point Subarea Plan and the Hunters Point Area Plan, in order to facilitate the development of the Hunters Point Shipyard and Candlestick Point, as envisioned in the Hunters Point Shipyard Redevelopment Plan, the Bayview Hunters Point Redevelopment Plan, and the Conceptual Framework for integrated development of the Hunters Point Shipyard and Candlestick Point endorsed by the Board of Supervisors and the Mayor in May 2007 and approved by the voters in 2008 through passage of Proposition G, the Jobs, Parks and Housing Initiative; adopting findings, including environmental findings and findings of consistency with the General Plan and Planning Code Section 101.1.

05/11/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/10/2010. Notice mailed, posted and published on June 4, 2010.

100575 **[Hunters Point Shipyard - Health Code Amendment]**

Sponsor: Mayor

Ordinance amending Article 31 of the Health Code to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply to Hunters Point Shipyard Parcel A to address potential residual contamination, and imposing fees to administer this Article; amending Sections 804 and 1227 of the Health Code to make conforming amendments; and making environmental findings.

05/11/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/10/2010. Fee Ad published on 6/4/10 and 6/14/10.

100576 [Hunters Point Shipyard - Public Works Code Amendment]
Sponsor: Mayor
Ordinance amending the Public Works Code to amend Section 2.3.1 to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply at Hunters Point Shipyard Parcel A to address potential residual contamination and making environmental findings.

05/11/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/10/2010

100577 [Hunters Point Shipyard - Building Code Amendment]
Sponsor: Mayor
Ordinance amending the Building Code to amend Section 106A.3.2.5 to extend, to the entire Hunters Point Shipyard area, the special permit processing requirements that now apply at Hunters Point Shipyard Parcel A to address potential residual contamination and making environmental findings.

05/11/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/10/2010.

100578 [Zoning Map Amendments - Candlestick Point Activity Node and Hunters Point Shipyard Phase 2 Project]
Sponsor: Mayor
Ordinance amending the San Francisco Planning Code by amending Sectional Maps SU09 and SU010 of the Zoning Map of the City and County of San Francisco to establish the Candlestick Point Activity Node Special Use District and the Hunters Point Shipyard Phase 2 Special Use District; amending Sectional Maps HT09 and HT010 to establish the CP Height and Bulk District and the HP Height and Bulk District; adopting findings, including environmental findings, Planning Code Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1; providing for an operative date.

05/11/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/10/2010.
Notice mailed, posted and published on June 4, 2010.

100579 [Zoning – Establishment of the Candlestick Point Activity Node Special Use District, the Hunters Point Shipyard Phase 2 Special Use District, and Special Height and Bulk Provisions for the Special Use Districts]
Sponsor: Mayor
Ordinance amending the San Francisco Planning Code by adding Section 249.50 to establish the Candlestick Point Activity Node Special Use District; adding Section 249.51 to establish the Hunters Point Shipyard Phase 2 Special Use District; adding Section 263.24 to establish Special Height Provisions for the Candlestick Point Activity Node Special Use District and the CP Height and Bulk District; adding Section 263.25 to establish Special Height Provisions for the Hunters Point Shipyard Phase 2 Special Use District and the HP Height and Bulk District; and amending Table 270, to provide that the Table is not applicable to the Candlestick Point Activity Node Special Use District and the Hunters Point Shipyard Phase 2 Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1; providing for an operative date.

05/11/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/10/2010.
Notice mailed, posted and published on June 4, 2010.

100580 [General Obligation Bond - Earthquake Safety Retrofit Loan Program General Obligation Bond - November 2, 2010, Election]

Sponsor: Mayor

Ordinance calling and providing for a consolidated general election to be held in the City and County of San Francisco on Tuesday, November 2, 2010, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to authorize general obligation bonded indebtedness of the City and County in the Amount of Thirty Nine Million One Hundred and Forty Thousand Dollars ($39,140,000) to provide loans to pay the costs of seismic retrofits to multi-story wood structures that are at significant risk of substantial damage and collapse during an earthquake, finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding that the proposed bond is not a project under the California Environmental Quality Act; finding that the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53; consolidating the special election with the general election on the same date; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code; and waiving the time requirements specified in Section 2.34 of the San Francisco Administrative Code.

05/11/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100582 [Appropriating $811,734 of Fund Balance for the Code Enforcement Rehabilitation Fund in Department of Building Inspection and Mayor's Office of Housing in FY2009-2010]

Sponsor: Mayor

Ordinance appropriating $738,240 of Code Enforcement Rehabilitation Fund unappropriated fund balance and deappropriating $73,494 of prior year appropriations to support code enforcement activities in the Department of Building Inspection and the Mayor's Office of Housing in FY2009-2010.

05/11/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100583 [Memorandum of Understanding - International Union of Operating Engineers Stationary Engineers, Local 39]

Sponsor: Mayor

Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the International Union of Operating Engineers Stationary Engineers, Local 39, to be effective July 1, 2010, through June 30, 2012.

05/11/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100584 [Appointment as Road Commissioner - Edward D. Reiskin]

Sponsor: Mayor

Ordinance appointing Edward D. Reiskin, Director of the Department of Public Works, as Road Commissioner for the City and County of San Francisco, and repealing Ordinance 63-07.

05/11/10; RECEIVED AND ASSIGNED to Rules Committee.

100600 [Prohibiting Lying on Public Sidewalks]
Sponsor: Daly
Draft ordinance amending the San Francisco Police Code by adding Section 168 to prohibit lying on public sidewalks.

05/11/10; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee.

100104 [Retailers Duty to Disclose Specific Absorption Rate Values for Cell Phones]
Sponsor: Mayor
Ordinance amending the San Francisco Environment Code by adding Chapter 11, Sections 1100 through 1105, to require retailers to disclose Specific Absorption Rate values for cell phones, and making environmental findings.

01/26/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 2/25/2010.

02/04/10; REFERRED TO DEPARTMENT.

03/09/10; RESPONSE RECEIVED.

04/15/10; RESPONSE RECEIVED.

05/11/10; SUBSTITUTED.

05/11/10; ASSIGNED to City Operations and Neighborhood Services Committee.

Resolutions

100572 [CEQA Findings, Candlestick Point - Hunters Point Shipyard Phase II Project]
Sponsor: Mayor
Resolution adopting findings under the California Environmental Quality Act (CEQA), CEQA Guidelines and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations in connection with the development of the Hunters Point Shipyard and Candlestick Point, as envisioned in the Hunters Point Shipyard Redevelopment Plan, the Bayview Hunters Point Redevelopment Plan, and the Conceptual Framework for integrated development of the Hunters Point Shipyard and Candlestick Point endorsed by the Board of Supervisors and the Mayor in May 2007 and approved by the voters in 2008 through passage of Proposition G, the Jobs, Parks and Housing Initiative.

05/11/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100573 [Urging the Planning Commission to Recommend Amendments to the General Plan Concerning Amendments to the Bayview Hunters Point Redevelopment Plan and the Hunters Point Shipyard Redevelopment Plan]
Sponsor: Mayor
Resolution urging the Planning Commission to recommend amendments to the General Plan to make the General Plan consistent with amendments to the Bayview Hunters Point Redevelopment Plan and the Hunters Point Shipyard Redevelopment Plan.

05/11/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100581 [General Obligation Bonds - Earthquake Safety Retrofit Deferred Loan and Grant Program General Obligation Bonds 2010 - Estimated Cost $39,140,000]
Sponsor: Mayor
Resolution determining and declaring that the public interest and necessity demand the construction, improvement and seismic retrofitting of multi-story wood framed affordable housing soft-story buildings for earthquake safety funded by the City or other qualified governmental housing finance agency, or owned by private third-parties and the payment of related costs necessary or convenient for the foregoing purposes; finding that the estimated cost of $39,140,000 for such improvements is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require incurring bonded indebtedness; finding that a portion of the proposed bond is not a project under the California Environmental Quality Act (CEQA) and adopting findings under CEQA, CEQA Guidelines, and San Francisco Administrative Code Chapter 31 for the remaining portion of the proposed bond; finding the proposed bond is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Charter Section 4.105 and Administrative Code Section 2A.53; and waiving the time limits set forth in Administrative Code Section 2.34.

05/11/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100585 [Confirming the Reappointment of Rodney Fong to the San Francisco Port Commission]
Sponsor: Mayor
Resolution confirming the reappointment of Rodney Fong to the San Francisco Port Commission, term ending May 1, 2014.

05/11/10; RECEIVED AND ASSIGNED to Rules Committee.

100586 [Confirming the Reappointment of Ellen Schumer and Mae Woo to the City Hall Preservation Advisory Commission]

Sponsor: Mayor

Resolution confirming the reappointments of James W. Haas, term ending January 13, 2012, and Ellen Schumer and Mae Woo, terms ending January 13, 2014, to the City Hall Preservation Advisory Commission.

05/11/10; RECEIVED AND ASSIGNED to Rules Committee.

100589 [Grant Application - Mission Creek Park Corridor]

Sponsors: Mayor; Maxwell

Resolution approving the application for grant funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for the Mission Creek Park Corridor.

05/11/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100590 [Grant Application - Hillpoint Park Open Space Project]

Sponsors: Mayor; Maxwell

Resolution approving the application for Grant Funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for Construction of the Hillpoint Park Open Space Project.

05/11/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100591 [Grant Application - Boedekker Park]

Sponsors: Mayor; Daly

Resolution approving the application for grant funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for Boedekker Park.

05/11/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100592 [Grant Application - Cayuga Playground]

Sponsors: Mayor; Avalos

Resolution approving the application for grant funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for the Cayuga Playground.

05/11/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100593 [Opposing the Proposed Resumption of Commercial Whaling and Ten-Year Quotas for Gray Whales as Proposed by the International Whaling Commission]

Sponsors: Mirkarimi; Dufty and Maxwell

Resolution urging President Barack Obama to direct the United States delegation to the annual meeting of the International Whaling Commission on June 21-25, 2010, in Agadir, Morocco, to oppose any agreements that allow commercial whaling or set quotas for commercial whaling.

05/11/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100594 [Proclaiming Martha Ryan Day - May 22, 2010]
Sponsor: Alioto-Pier
Resolution honoring Martha Ryan, Executive Director of the Homeless Prenatal Program, on the 20th anniversary of the Homeless Prenatal Program and proclaiming May 22, 2010, as Martha Ryan Day in the City and County of San Francisco.

05/11/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100596 [Proclaiming Harvey Milk Day - May 22, 2010]
Sponsors: Dufty; Campos, Mirkarimi and Chiu
Resolution proclaiming May 22, 2010, as Harvey Milk Day in the City and County of San Francisco.

05/11/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100597 [Proclaiming World Hepatitis Awareness Day - May 19, 2010]
Sponsors: Dufty; Chiu
Resolution proclaiming May 19, 2010, as World Hepatitis Awareness Day in the City and County of San Francisco.

05/11/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100599 [Accept and Expend Grant - To Hire up to Four Part-Time Upper Division Undergraduate or Graduate School Planning Interns - $44,000]
Sponsor: Elsbernd
Resolution authorizing the Airport Commission to accept and expend a grant in the amount of $44,000 from the Federal Transit Administration through CalTrans and the Metropolitan Transportation Commission for hiring up to four part-time upper division undergraduate or graduate school planning interns for the FY2009-2011.

05/11/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100601 [Commending Mary Kay Henry]
Sponsor: Alioto-Pier
Resolution commending Mary Kay Henry on her election as the President of the Service Employees International Union.

05/11/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Motions

100587 [Adopting Findings to Reverse Certification of the 555 Washington Street Project Final Environmental Impact Report]
Sponsors: Chiu; Daly, Mirkarimi, Campos, Mar and Avalos
Motion adopting findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project.

05/11/10; RECEIVED AND ASSIGNED to Board of Supervisors.

100588 [Adopting Findings Related to the Conditional Use Appeal on Property Located at 1111 California Street]

Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 18042, approving Conditional Use Application 2008.1072C on property located at 1111 California Street. (Clerk of the Board)

05/11/10; RECEIVED AND ASSIGNED to Board of Supervisors.

100595 [Waiver Permitting City Employees to Assist the Department of Elections with the June 8, 2010, Consolidated Primary Election]

Sponsor: Chiu

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the June 8, 2010, Consolidated Primary Election.

05/11/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

Requests for Hearing

100570 [Implementation Status of Language Access Ordinance]

Sponsors: Chu; Chiu, Mar and Avalos

Hearing in conjunction with release of Annual Compliance Report on the Language Access Ordinance to receive status update on implementation and compliance with the ordinance.

05/11/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100571 [Safe Routes to Schools and MUNI Safety]

Sponsor: Dufty

Hearing to consider how we are providing safe routes to schools and ensuring safe conditions for our children and youth on MUNI.

05/11/10; RECEIVED AND ASSIGNED to City and School District Select Committee.

Introduced by President at Request of Department

PROPOSED RESOLUTIONS

100364 [Major Encroachment for San Francisco State University to Place Utilities Under Font Boulevard]

Sponsor: Elsbernd

Resolution granting a revocable major encroachment permit to San Francisco State University to occupy a portion of the public right-of-way to install and maintain private underground utilities crossing Font Boulevard to serve properties within Assessor Block No. 7304; making findings, including environmental findings and findings of consistency with the General Plan and the Eight Priority Policies of Planning Code Section 101.1. (Public Works Department)

04/28/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100365 [Amendment to Agreement - Avaya, Inc., to Extend the Term and Increase the Amount of the Contract - $13,367,321]

Resolution retroactively authorizing the Department of Technology to enter into the Fourth Amendment of an agreement with Avaya, Inc., and increasing the maximum expenditure under the contract to $13,367,321. (Department of Technology)

05/03/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving at 7th and 9th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

55 Laguna
506 Haight
598 Baker
585 Hayes
357 Grove
577 Fell
545 Lyon
465 Scott
250 Scott
591 Waller
546 Haight
598 Haight, on the side of building
400 Duboce, on the Duboce & Fillmore side
350 Laguna

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Wood Pole
Southeast corner Haight & Fillmore

Metal Poles
Southeast corner Hayes & Buchanan
In front of 357 Grove
Northwest corner Laguna & Haight
In front of 150 Hayes
Near 252 Fillmore
Near 174 Haight
Northeast corner Fell & Scott
Northwest corner Haight & Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes
Southwest corner Steiner & Waller
Northwest corner Fulton & Broderick

Bus Shelters
Southeast corner Divisadero & Hayes
Southeast corner Hayes & Buchanan
Southeast corner Buchanan & Haight
Northwest corner Scott & Hayes
Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes
Southeast corner Oak & Scott

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
Southwest corner Golden Gate & Buchanan
Northwest corner Haight & Fillmore
Southwest corner Waller & Fillmore

Mailboxes
Southwest corner Broderick & Hayes
Northwest corner Laguna & Hayes
Northwest corner Haight & Fillmore

In Memoriams

Michael Anthony Sullivan – Supervisor Carmen Chu
Luisa Ezquerro – Supervisors Bevan Dufty and David Campos
Jane Warner – Entire Board
Janice Rose Trapp Tate – Supervisor Sophie Maxwell

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 5:47 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 15, 2010.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 16 2011

SAN FRANCISCO
PUBLIC LIBRARY

Tuesday, May 18, 2010 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos	Wednesday 1:30 PM
Budget and Finance Sub-Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Dufty	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee.

Members Present: Michela Alioto-Pier, John Avalos, David Campos, David Chiu, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar, Sophie Maxwell and Ross Mirkarimi

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:10 p.m. On the call of the roll, Supervisor Alioto-Pier was noted absent.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Dufty, seconded by Supervisor Avalos, moved to approve the Board Meeting Minutes of April 20, 2010. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Absent: 1 - Alioto-Pier

COMMUNICATIONS

Angela Calvillo, Clerk of the Board, informed the Board of Supervisors that she was in receipt of correspondence from the Mayor on May 17, 2010, communicating the Mayor's notice to the Board of Supervisors, under Charter Section 4.132, of a transfer of function between departments within the executive branch. That such reorganization shall become effective 30 days after its issuance, unless disapproved by the Board of Supervisors.

SPECIAL ORDER 2:00 P.M. - Mayor's Appearance Before The Board

President, David Chiu, inquired if the Mayor would make an appearance before the Board of Supervisors. Starr Terrell, the Mayor's Liaison to the Board of Supervisors, indicated the Mayor would not be present.

Supervisor Alioto-Pier was noted present at 2:12 p.m.

CONSENT AGENDA

Recommendation of the Budget and Finance Sub-Committee

100496 [Accept and Expend Grant - California Emergency Management Agency and Amendment to the Annual Salary Ordinance for FY2009-2010 - $505,599]
Sponsor: Dufty
Ordinance authorizing the Department of Adult Probation to retroactively accept and expend a grant in the amount of $505,599 from the California Emergency Management Agency for a pilot program funded by Senate Bill 678 designed to improve outcomes for 18-25 year old probationers, and amending Ordinance No. 183-09 (Annual Salary Ordinance, FY 2009-2010) to reflect the addition of one (1) grant-funded position (0.25 FTE) in Class 8444 Deputy Probation Officer at the Department of Adult Probation.
FINALLY PASSED

Recommendations of the City Operations and Neighborhood Services Committee

100498 [Emergency Designation of the Director of Public Works, as Agent, to Apply for, Receive, and Expend Federal Disaster Relief Funds for the Great Highway]
Sponsor: Chu
Resolution authorizing the Director of Public Works, to act as the agent of the City and County of San Francisco, as a non-state agency, to apply for, accept, and expend federal financial assistance under P.L. 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act to address the emergency condition of the severe erosion along the Great Highway.
ADOPTED

100499 [Accept and Expend Grant - Green Business Tracking and Measurement Tool - $74,500]
Sponsor: Chu
Resolution authorizing the Department of the Environment of the City and County of San Francisco to accept funding in the amount of $74,500 from the California Department of Toxic Substances Control to continue to develop and operate the green business tracking and measurement tool.
ADOPTED

Recommendations of the Land Use and Economic Development Committee

091251 [Development Fee Collection Procedure; Administrative Fee]
Sponsors: Mayor; Dufty, Daly, Mirkarimi and Chu

Ordinance amending the San Francisco Building Code by adding Section 107A.13 to establish a procedure for the Department of Building Inspection (DBI) to collect development impact and in lieu fees, to provide that the fees are payable prior to issuance of the first building permit or, in the case where a site permit is issued, the first addendum authorizing construction of the project, with a temporary option for the project sponsor to defer payment of 85 percent of the total amount of fees due, or 80 percent of the total amount of fees due if the project is subject to payment of a neighborhood infrastructure impact development fee, to prior to issuance of the first certificate of occupancy upon agreeing to pay a deferral surcharge on the amount owed, to require that any in-kind public benefits required in lieu of payment of development fees are implemented prior to issuance of the first certificate of occupancy for the project, to require DBI to generate a Project Development Fee Report prior to issuance of the building or site permit for the project listing all fees due with the opportunity for an appeal of technical errors to the Board of Appeals, to establish a Development Fee Collection Unit within DBI and a fee for administering the program; providing that the ordinance's operative date is July 1, 2010; and adopting findings, including environmental findings.
(Economic Impact.)

Supervisor Chu requested to be added as a co-sponsor.

FINALLY PASSED

100048 [Amendment to Solar Energy Incentive Program]
Sponsors: Daly; Mirkarimi and Mar

Ordinance amending the San Francisco Environment Code Sections 18.2, 18.4, 18.7-2, and 18.7-4, to: (1) require all systems receiving City incentives be installed by an individual, firm or organization qualified as a workforce development installer by the Office of Economic & Workforce Development, unless specified exceptions apply, and (2) eliminate increased incentives for residential properties in the case of systems installed by individuals trained under the City workforce development program.

FINALLY PASSED

100330 [Veterans Commons Special Use District - 150 Otis Street]
Sponsors: Chiu; Mirkarimi

Ordinance adding Planning Code Section 249.46 to establish the Veterans Commons Special Use District for property located at 150 Otis Street, Block No. 3513, Lot No. 07; amending the City's Zoning Map, Sheet Nos. HT07 and SU07 to change the height district from 85 to 125 feet and reflect the boundaries of the Veterans Commons Special Use District; and making environmental findings and findings of consistency with the General Plan and the priority policies of Planning Code Section 101.1.

FINALLY PASSED

Recommendations of the Rules Committee

100358 [Settlement of Lawsuit - Noah Booher - $35,000]
Ordinance authorizing settlement of the lawsuit filed by Noah Booher against the City and County of San Francisco for $35,000; the lawsuit was filed on March 10, 2009, in the United States District Court for the Northern District of California, Case No. C08-1045 MHP, entitled Noah Booher v. City and County of San Francisco et al. (City Attorney)

PASSED, ON FIRST READING

100359 [Settlement of Lawsuit - Betty C. Bullock - $134,000]
Ordinance authorizing settlement of the lawsuit filed by Betty C. Bullock against the City and County of San Francisco for $134,000; the lawsuit was filed on December 1, 2008, in San Francisco Superior Court, Case No. 482347; entitled Betty C. Bullock v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

100361 [Settlement of Lawsuit - Assimina Mavromatis - $29,500]
Ordinance authorizing settlement of the lawsuit filed by Assimina Mavromatis against the City and County of San Francisco for $29,500; the lawsuit was filed on July 6, 2007, in San Francisco Superior Court, Case No. CGC 07-464948; entitled Assimina Mavromatis, et al., v. City and County of San Francisco, et al. (City Attorney)

PASSED, ON FIRST READING

100515 [Settlement of Lawsuit - Blackhawk Parent, LLC - $250,000]
Ordinance authorizing settlement of tax refund lawsuit filed by Blackhawk Parent, LLC, against the City and County of San Francisco for $250,000; the lawsuit entitled Blackhawk Parent, LLC, v. City and County of San Francisco, Case No. 478-160 filed August 1, 2008, in San Francisco Superior Court. (City Attorney)

PASSED, ON FIRST READING

100422 [Appointments, Medical Cannabis Task Force - Stephanie Tucker, David Goldman, Shona Gochenhaur, Mary Schroeder, Raymond Gamley, Martin Olive, Kevin Reed, Sarah Shrader, Patrick Goggin, Albert Blais, Joseph Erich Pearson, Michelle Aldrich and Maureen Burns]
Motion appointing Stephanie Tucker, David Goldman, Shona Gochenhaur, Mary Schroeder, Raymond Gamley, Martin Olive, Kevin Reed, Sarah Shrader, Patrick Goggin, Albert Blais, Joseph Erich Pearson, Michelle Aldrich and Maureen Burns, terms to be determined, to the Medical Cannabis Task Force. (Clerk of the Board)

APPROVED

100523 [Appointment, Reentry Council - Ronald Sanders]
Motion appointing Ronald Sanders, term ending July 17, 2011, to the Reentry Council. (Clerk of the Board)

APPROVED

100524 **[Appointments, Sunshine Ordinance Task Force - David Snyder, Richard Knee, Sue Cauthen, Allyson Washburn, Bruce Wolfe, Hanley Chan and Hope Johnson]**
Motion appointing David Snyder, Richard Knee, Sue Cauthen, Allyson Washburn, Bruce Wolfe, Hanley Chan and Hope Johnson, terms ending April 27, 2012, to the Sunshine Ordinance Task Force, residency requirement waived. (Clerk of the Board)

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

100587 **[Adopting Findings to Reverse Certification of the 555 Washington Street Project Final Environmental Impact Report]**
Sponsors: Chiu; Daly, Mirkarimi, Campos, Mar and Avalos
Motion adopting findings reversing the certification by the Planning Commission of the Final Environmental Impact Report for the 555 Washington Street Project.

APPROVED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Daly, Mar, Maxwell, Mirkarimi
Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

100588 **[Adopting Findings Related to the Conditional Use Appeal on Property Located at 1111 California Street]**
Motion adopting findings related to the appeal of a decision of the Planning Commission, Motion No. 18042, approving Conditional Use Application 2008.1072C on property located at 1111 California Street. (Clerk of the Board)

Supervisor Mirkarimi, seconded by Supervisor Mar, moved that this Motion be AMENDED on page 2, Lines 14 and 15 by adding 'pre-' before 'holiday.' The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

APPROVED AS AMENDED by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 2 - Alioto-Pier, Dufty

Recommendation of the Land Use and Economic Development Committee

091275 [Development Impact and In-Lieu Fees]

Sponsors: Mayor; Dufty and Chu

Ordinance amending the San Francisco Planning Code to create Article 4 for development impact fees and requirements, move Planning Code Sections 135(j), 135.3(d), 135.3(e), 139, 143, 149, a portion of 249.33, 313-313.15, 314-314.8, 315-315.9, 318-318.9, 319-319.7, 326-326.8, 327-327.6, and 331-331.6 and Chapter 38 of the San Francisco Administrative Code (Transit Impact Development Fee) to Article 4, and renumber and amend the sections; to provide that the Department of Building Inspection will collect the development fees prior to issuance of the first building permit or other document authorizing project construction and verify that any in-kind public improvements required in-lieu of a development fee are implemented prior to issuance of the first certificate of occupancy; to allow a project sponsor to defer payment of a development fee upon agreeing to pay a deferral surcharge (Fee Deferral Program), which option shall expire after three years unless further extended; to require the Planning Commission to hold a hearing prior to expiration of the Fee Deferral Program to review its effectiveness and make recommendations to the Board of Supervisors; to add introductory sections to Article 4 for standard definitions and procedures, delete duplicative code provisions and use consistent definitions, language and organization throughout; to require annual Citywide development fee reports and fee adjustments, and development fee evaluations every five years; to provide that the ordinance's operative date is July 1, 2010; and to instruct the publisher to put a note at the original location of the renumbered sections stating that the text of those sections has been moved and providing the new section number; adopting findings, including Section 302, environmental findings, and findings of consistency with the General Plan and Planning Code Section 101.1.

Supervisor Chu requested to be added as a co-sponsor.

FINALLY PASSED by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Daly

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

100470 [Appropriating Surplus Revenues and Expenditures to Support Cost Overruns in the Department of Public Health for FY2009-2010 - $20,807,609]

Sponsor: Mayor

Ordinance appropriating $20,807,609, including appropriating $19,923,697 of surplus San Francisco General Hospital revenue and $7,500 of Laguna Honda Hospital revenues, de-appropriating $876,412 of Laguna Honda Hospital and non-hospital operations expenditures, to fund cost overruns in the Department of Public Health, including $13,258,088 at San Francisco General Hospital, $6,176,521 at Laguna Honda Hospital, and $1,373,000 in non-hospital operations, for FY2009-2010.
(Fiscal Impact.)

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100436 [Amendment to the Design Agreement for the Laguna Honda Hospital Replacement Program - $50,799,281]

Sponsor: Elsbernd

Resolution authorizing the Director of Public Works to execute an amendment to the design agreement for the Laguna Honda Hospital Replacement Program increasing the contract amount from $44,633,529 to $50,799,281.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100527 [Accept and Expend Grant - Human Services Agency's Temporary Assistance to Needy Families Emergency Contingency Fund as Part of the American Recovery and Reinvestment Act of 2009 and Amendment to the Annual Salary Ordinance, FY2009-2010 - $20,014,497]

Sponsor: Mayor

Ordinance amending the FY2009-2010 Annual Salary Ordinance (Ordinance No. 183-09) to reflect the addition of temporary and permanent salaries of $8,496,952 and authorizing the Human Services Agency to retroactively accept and expend a grant in the amount of $20,014,497 from the United States Department of Health and Human Services, Temporary Assistance to Needy Families Emergency Contingency Fund, as part of the American Recovery and Reinvestment Act of 2009, to support the Mayor's Jobs NOW Program.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100442 [Contract Approval with Global Tel*Link for Inmate Telephone Services]
Resolution approving a contract for operating the Sheriff's Inmate Telephone Services, between Global Tel*Link and the City and County of San Francisco, acting by and through the Sheriff's Department. (Sheriff)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100493 [Finding of Fiscal Feasibility of Runway Safety Area Project at San Francisco International Airport]
Resolution finding the proposed Runway Safety Area project at San Francisco International Airport fiscally feasible pursuant to Administrative Code Chapter 29. (Airport Commission)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendations of the Land Use and Economic Development Committee

100428 [Endorsement of Term Sheet with the Treasure Island Homeless Development Initiative]
Sponsors: Mayor; Daly, Chiu, Dufty and Chu
Resolution endorsing the Term Sheet for the Amended and Restated Base Closure Homeless Assistance Agreement with the Treasure Island Homeless Development Initiative.

Supervisor Chu requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100429 [Endorsement of Terms of Economic Development Conveyance Memorandum of Agreement for Treasure Island]
Sponsors: Mayor; Daly, Chiu, Dufty and Chu
Resolution endorsing the Terms of Economic Development Conveyance Memorandum of Agreement for the Transfer of Former Naval Station Treasure Island from the United States Government to the Treasure Island Development Authority.

Supervisor Chu requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100432 [Endorsement of Update to Development Plan and Term Sheet for the Redevelopment of Treasure Island]
Sponsors: Mayor; Daly, Chiu, Dufty and Chu
Resolution endorsing the Update to Development Plan and Term Sheet for the Redevelopment of Former Naval Station Treasure Island with Treasure Island Community Development, LLC.

Supervisor Chu requested to be added as a co-sponsor.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendations of the Public Safety Committee

100006 [Authorizing the Director of Elections to Make Confidential Certain Voter Registration Information Pertaining to Public Safety Officers]

Sponsor: Chiu

Resolution authorizing the Director of Elections to, upon proper application of a public safety officer, make confidential that officer's residential address, telephone number and e-mail address appearing on the affidavit of registration, in accordance with California Elections Code Section 2166.7.

Supervisor Daly moved to divide the question relating to telephone number and e-mail address.

The question relating to telephone number and e-mail address was PASSED as divided by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Noes: 1 - Daly

ADOPTED AS DIVIDED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100497 [Authorizing the Emergency Medical Services Agency to Conduct Criminal Background Checks]

Sponsor: Alioto-Pier

Resolution authorizing the San Francisco Emergency Medical Services Agency to conduct criminal background checks pursuant to state law for the purpose of certifying emergency medical technicians.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Alioto-Pier was noted absent at 4:55 p.m.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

100221 [Public Hearing - Authorizing the Acquisition of Real Property by Eminent Domain - Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project]

Hearing of persons interested in or objecting to proposed Resolution authorizing acquisition of the following interests in real property in Alameda County: (1) a temporary construction easement in a portion of Assessor's Parcel No. 13-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary construction easement in a portion of Assessor's Parcel No. 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary construction easement and a permanent subsurface soil nail easement in portions of Assessor's Parcel No. 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1. (Clerk of the Board)

The President inquired as to whether any member of the public wished to address the Board relating to the acquisition of real property as referenced in File No. 100222. Julie LaBonte (Public Utilities Commission) provided an overview of the project and distributed updated information clarifying Schedule 1. Michael Kyle (Property Owner) expressed concerns relating to the proposed acquisition. Kenneth Mackin (Property Owner) expressed concerns relating to the proposed acquisition. Julie LaBonte (Public Utilities Commission) provided a rebuttal, clarified concerns raised throughout the hearing, and further requested the Board to approve the acquisition. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report Without Recommendation

100222 [Authorizing the Acquisition of Real Property by Eminent Domain - Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project]
Sponsor: Mayor

Resolution authorizing acquisition of the following interests in real property in Alameda County: (1) a temporary construction easement in a portion of Assessor's Parcel No. 513-0065-011-02 in Fremont, owned by Malik A. Alarab, Trustee, and Barbara E. Alarab, Trustee; (2) a temporary construction easement in a portion of Assessor's Parcel No. 096-0001-020-03 in Sunol, owned by Kenneth and Janice Mackin; and (3) a temporary construction easement and a permanent subsurface soil nail easement in portions of Assessor's Parcel No. 096-0080-004 in Sunol, owned by Carolyn Marie Garcia and Stanley A. Garcia, Trustees, by eminent domain, for the public purpose of constructing the San Francisco Public Utilities Commission Water System Improvement Program-Funded Project CUW35901, New Irvington Tunnel Project; adopting environmental findings under the California Environmental Quality Act (CEQA), CEQA Guidelines, and Administrative Code Chapter 31; and adopting findings of consistency with the General Plan and under City Planning Code Section 101.1.

Supervisor Mirkarimi, seconded by Supervisor Campos, moved that this Resolution be AMENDED with additional information pertaining to Schedule 1 as submitted by the City Attorney's Office and the Public Utilities Commission. The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Absent: 1 - Alioto-Pier

Supervisor Maxwell, seconded by Supervisor Mirkarimi, moved that this Resolution be AMENDED on Page 7, Line 10, by adding 'gas line' after 'drainage.' The motion carried by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Absent: 1 - Alioto-Pier

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi
Absent: 1 - Alioto-Pier

Supervisor Alioto-Pier was noted present at 5:50 p.m.

SPECIAL ORDER 3:00 P.M.

Board of Supervisors Sitting as a Committee of the Whole

100395 **[Public Hearing - Approving the Issuance of Revenue Bonds by California Municipal Finance Authority to Acquire the Public Utilities Commission Building]**
Hearing of persons interested in or objecting to the proposed Resolution approving the issuance of revenue bonds by the California Municipal Finance Authority for the purposes of financing or refinancing the acquisition of the State office buildings known as the Public Utilities Commission Building and/or the San Francisco Civic Center and certain other matters pertaining thereto.

The President inquired as to whether any member of the public wished to address the Board relating to the issuance of revenue bonds as referenced in File No. 100549. Supervisor Daly provided an overview of the issuance of revenue bonds. Nadia Sesay (Office of Public Finance) and Scott Sallers provided additional details of the issuance of revenue bonds. There were no other speakers. The President declared public comment closed and adjourned as the Committee of the Whole, reconvening as the Board of Supervisors.

HEARD AT PUBLIC HEARING

Committee of the Whole Adjourn and Report Without Recommendation

100549 **[Approving the Issuance of Revenue Bonds by California Municipal Finance Authority to Acquire the Public Utilities Commission Building]**
Sponsor: Daly
Resolution approving the issuance of revenue bonds by the California Municipal Finance Authority for the purposes of financing or refinancing the acquisition of the State office buildings known as the Public Utilities Commission Building and/or the San Francisco Civic Center and certain other matters pertaining thereto.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Alioto-Pier, seconded by Supervisor Elsbernd, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Chiu introduced, welcomed, and presented a Certificate of Honor to Ed Reiskin, Director of Public Works, in recognition of Public Works Week (May 15-22, 2010) and the work of the employees of the Department of Public Works.

Supervisor Alioto-Pier provided an overview of the Small Business Week (May 15-22, 2010) commendation proceedings. Introductions and Certificates of Honor, in recognition of Small Business Week were presented as follows.

Supervisor Alioto-Pier to Presidio Bowling Center;
Supervisor Avalos to Mach III, Java on Ocean, and N-Hance;
Supervisor Campos to Fat Beli Deli;
Supervisor Chiu to Case + Abst Architects;
Supervisor Chu to Tennessee Grill;
Supervisor Daly to Rainbow Grocery;
Supervisor Dufty to Frances Restaurant;
Supervisor Elsbernd to Village Grill;
Supervisor Mar to 4 Star Theatre;
Supervisor Maxwell to Bay Wash;
Supervisor Mirkarimi to Rooky Ricardo's Records and Uoki K. Sakai Company; and
Starr Terrell, on behalf of Mayor Newsom, to Veritable Vegetable.

SPECIAL ORDER 4:00 P.M.

100382 [Public Hearing - Appeal of Conditional Use for 725 Taraval Street]

Hearing of persons interested in or objecting to decision of the Planning Commission by its Motion No. 18037 dated February 25, 2010, relating to the approval, subject to certain conditions, of a conditional use authorization (Case No. 2009.0531C), under Planning Code Sections 303, 711.83, and 790.80, to install a wireless telecommunications facility consisting of eight new panel antennas located on the existing four-story mixed-use building's elevator penthouse structures, with related equipment cabinets located within the structure's subterranean garage, as part of T-Mobile's wireless telecommunications network within a NC-2 (Neighborhood Commercial, Small-Scale) Zoning District and a 40-X Height and Bulk District, on property located at 725 Taraval Street, Lot Nos. 052-058 in Assessor's Block No. 2408. (District 7) (Appellant: Robert Carson) (Clerk of the Board)

(Filed March 25, 2010 - Companion Measure to File Nos. 100383, 100384, 100385.)

The President inquired as to whether any member of the public wished to address the Board. Supervisor Elsbernd requested clarification on the appeal procedures. Cheryl Adams (City Attorney's Office) provided clarification of the procedures of the appeal. Robert Carson (Appellant) provided an overview of the appeal, responded to questions raised throughout the discussion, and further requested the Board to approve the appeal. Male Speaker; Henry Tang; Espanola Jackson; Alan Mitchell; Lucy Mitchell; Victoria Martin; Li Hsueh Pi Ley; Male Speaker; Richard Deluse; Wendy Robinson; Male Speaker; Jerry Risk; Lee Gertler; Rob Geller; Female Speaker; Male Speaker; Steven Krolik; spoke in support of the appeal. Tara Sullivan and Liz Watty (Planning Department) provided an overview of the decision of the Planning Commission and responded to questions raised throughout the discussion. Rick Hirsch (Project Sponsor) provided an overview of the project, responded to questions raised throughout the discussion, and further requested the Board to uphold the decision of the Planning Commission. Robert Carson (Appellant) provided a rebuttal and further requested the Board to approve the appeal. There were no other speakers. The President declared the public hearing closed.

HEARD AT PUBLIC HEARING

100383 [Affirming Planning Commission Decision Related to Conditional Use Appeal for 725 Taraval Street]

Motion affirming the decision of the Planning Commission by its Motion No. 18037, approving Conditional Use Application No. 2009.0531C on property located at 725 Taraval Street, and adopting findings pursuant to Planning Code Section 101.1. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be TABLED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100384 [Reversing Planning Commission Decision Related to Conditional Use Appeal for 725 Taraval Street]

Motion reversing the decision of the Planning Commission by its Motion No. 18037, approving Conditional Use Application No. 2009.0531C on property located at 725 Taraval Street. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100385 [Preparation of Findings Related to the Conditional Use Appeal for 725 Taraval Street]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2009.0531C on property located at 725 Taraval Street, for action by the Board at its next meeting. (Clerk of the Board)

Supervisor Elsbernd, seconded by Supervisor Alioto-Pier, moved that this Motion be APPROVED. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

COMMITTEE REPORTS

Recommendation of the Land Use and Economic Development Committee

100535 [Authorization to Apply for a Grant for Strategic Growth Council Urban Greening]

Sponsor: Campos

Resolution authorizing the San Francisco Planning Department to apply for a grant from the State of California Sustainable Communities Planning Grant and Incentives Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 to augment the greening and storm water features of the Cesar Chavez Street Redesign Project.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Recommendation of the Budget and Finance Sub-Committee

100399 [Contract Modification with Acumen Fiscal Agent, LLC, for the Jobs Now Program - $53,995,000]

Sponsor: Mayor

Resolution approving the emergency declaration to modify the contract between the City and County of San Francisco and Acumen Fiscal Agent, LLC, to provide private employer based wage subsidy reimbursements under the City's Jobs Now Program for qualified Jobs Now participants during the period of March 25, 2010, to October 31, 2010, in the additional amount of $44,000,000 for a total modified contract amount of $53,995,000.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

PUBLIC COMMENT

Suzanne Dumont; spoke relating to proposed Charter Amendment regarding Recreation and Park.
Richard McRee; expressed concerns relating to technology, inventions and patents.
Walter Paulson; shared in song certain concerns with the Board.
John Rizzo; expressed concerns relating to public representation.
Robin Crumb; expressed concerns relating to lyme disease.
David Eldridge; spoke relating to proposed Charter Amendment regarding Recreation and Park.
Nancy Wuerfel; spoke relating to proposed Charter Amendment regarding Recreation and Park.
Rose Hilton; spoke relating to proposed Charter Amendment regarding Recreation and Park.
Ed Hoshikoto; spoke relating to proposed Charter Amendment regarding Recreation and Park.
Jill Shenker; spoke relating to proposed resolution regarding domestic work.
Juanita Flores; spoke relating to proposed resolution regarding domestic work.
Emma Delgado; spoke relating to proposed resolution regarding domestic work.
Bertha Villalobos; spoke relating to proposed resolution regarding domestic work.
Maria Hernandez; spoke relating to proposed resolution regarding domestic work.
Juliana Romero; spoke relating to proposed resolution regarding domestic work.
Female Speaker; spoke relating to proposed resolution regarding domestic work.
Oliva Tella; spoke relating to proposed resolution regarding domestic work.
Peter Warfield; expressed concerns relating to the SF Public Library.
Guadalupe Navarro; spoke relating to proposed resolution regarding domestic work.
Maria Arroyo; spoke relating to proposed resolution regarding domestic work.
Female Speaker; spoke relating to proposed resolution regarding domestic work.
Gloria Martinez; spoke relating to proposed resolution regarding domestic work.
Terry Mill; spoke relating to proposed Charter Amendment regarding Recreation and Park.
Laura Hernandez; spoke relating to proposed resolution regarding domestic work.
Male Speaker; expressed various concerns.
Ace Washington; expressed various concerns.
Dane Jonsen; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

100538 **[Supporting Outreach and Education Regarding Smart Meters to Prevent Power Service Disconnections]**
Sponsor: Mar
Resolution supporting outreach and education regarding Smart Meters to prevent power service disconnections.
ADOPTED

100589 **[Grant Application - Mission Creek Park Corridor]**
Sponsors: Mayor; Maxwell
Resolution approving the application for grant funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for the Mission Creek Park Corridor.
ADOPTED

100590 [Grant Application - Hillpoint Park Open Space Project]
Sponsors: Mayor; Maxwell
Resolution approving the application for Grant Funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for Construction of the Hillpoint Park Open Space Project.
ADOPTED

100591 [Grant Application - Boedekker Park]
Sponsors: Mayor; Daly
Resolution approving the application for grant funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for Boedekker Park.
Supervisor Daly requested to be added as a co-sponsor.
ADOPTED

100592 [Grant Application - Cayuga Playground]
Sponsors: Mayor; Avalos
Resolution approving the application for grant funds for the Urban Greening Grant Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for the Cayuga Playground.
ADOPTED

100593 [Opposing the Proposed Resumption of Commercial Whaling and Ten-Year Quotas for Gray Whales as Proposed by the International Whaling Commission]
Sponsors: Mirkarimi; Dufty and Maxwell
Resolution urging President Barack Obama to direct the United States delegation to the annual meeting of the International Whaling Commission on June 21-25, 2010, in Agadir, Morocco, to oppose any agreements that allow commercial whaling or set quotas for commercial whaling.
ADOPTED

100594 [Proclaiming Martha Ryan Day - May 22, 2010]
Sponsor: Alioto-Pier
Resolution honoring Martha Ryan, Executive Director of the Homeless Prenatal Program, on the 20th anniversary of the Homeless Prenatal Program and proclaiming May 22, 2010, as Martha Ryan Day in the City and County of San Francisco.
ADOPTED

100596 [Proclaiming Harvey Milk Day - May 22, 2010]
Sponsors: Dufty; Campos, Mirkarimi and Chiu
Resolution proclaiming May 22, 2010, as Harvey Milk Day in the City and County of San Francisco.
ADOPTED

100597 [Proclaiming World Hepatitis Awareness Day - May 19, 2010]
Sponsors: Dufty; Chiu
Resolution proclaiming May 19, 2010, as World Hepatitis Awareness Day in the City and County of San Francisco.

Supervisor Chiu requested to be added as a co-sponsor.

ADOPTED

100599 [Accept and Expend Grant - To Hire up to Four Part-Time Upper Division Undergraduate or Graduate School Planning Interns - $44,000]
Sponsor: Elsbernd
Resolution authorizing the Airport Commission to accept and expend a grant in the amount of $44,000 from the Federal Transit Administration through CalTrans and the Metropolitan Transportation Commission for hiring up to four part-time upper division undergraduate or graduate school planning interns for the FY2009-2011.

ADOPTED

100601 [Commending Mary Kay Henry]
Sponsor: Alioto-Pier
Resolution commending Mary Kay Henry on her election as the President of the Service Employees International Union.

ADOPTED

100595 [Waiver Permitting City Employees to Assist the Department of Elections with the June 8, 2010, Consolidated Primary Election]
Sponsor: Chiu
Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to assist the Department of Elections with the June 8, 2010, Consolidated Primary Election.

APPROVED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by Supervisor or Mayor

Charter Amendments

100629 [San Francisco Affordable Housing Fund]

Sponsor: Daly

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 16.127 to: (1) establish baseline appropriation and make and annual appropriation of the equivalent of 33% of any available general fund budget surplus for the next fifteen (15) years to support affordable housing programs; (2) require the Mayor's Office of Housing, in cooperation with the Department of Public Health and Department of Human Services, to prepare an affordable housing plan every three (3) years and an annual affordable housing budget; (3) affirm City policy urging the Redevelopment Agency to use at least 50% of its tax increment funds for low and moderate income housing; and (4) set an expiration date of July 1, 2026.

05/18/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/27/2010. The 30 Day Rule does not begin until the Charter Amendment is approved as to form by the City Attorney's Office.
5/28/10 - Received the Charter Amendment approved as to form by the City Attorney's Office.

100630 [Requiring the Mayor to Appear Personally at One Regularly-Scheduled Meeting of the Board of Supervisors Each Month to Engage in Formal Policy Discussions with Members of the Board]

Sponsor: Daly

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 2.103 and 3.100, to require the Mayor to appear personally at one regularly-scheduled meeting of the Board of Supervisors each month to engage in formal policy discussions with members of the Board and to authorize the Board to adopt rules and guidelines.

05/18/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2010. The 30 Day Rule does not begin until the Charter Amendment is approved as to form by the City Attorney's Office.
5/25/10 - Received the Charter Amendment approved as to form by the City Attorney's Office.

100631 [Equal Access Commission and Department of Equal Access]

Sponsor: Alioto-Pier

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding a new Section 4.136, to establish an Equal Access Commission and Office on Equal Access.

05/18/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee.

100632 [Public Education Enrichment Fund]

Sponsor: Alioto-Pier

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 16.23-10, to extend the automatic expiration of the Public Education Enrichment Fund from June 30, 2015, to June 30, 2016; amending Sections 16.123-2 and 16.123-8, to make conforming changes; amending Section 16.123-3, to use any surplus returned from the Library Preservation Fund Baseline to fund part of the City's required disbursements under the Pubic Education Enrichment Fund for, among other things, library programs; amending Section 16.123-5, to allow the City to use monies in the Fund to pay college tuition and fees for students attending City College or San Francisco State; amending Section 16.123-6, to authorize the Youth Commission to review expenditure plans submitted by the School District and the First Five Commission, amending Section 16.123-8, to require the City to recommend a Rainy Day Reserve policy for the San Francisco Unified School District covering local revenues and authorize the City to suspend disbursements from the Fund to the School District unless the District certifies that it has adopted and followed the policy; and, repealing Section 16.123-7 as obsolete.

05/18/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/24/2010. The 30 Day Rule does not begin until the Charter Amendment is approved as to form by the City Attorney's Office.
5/25/10 - Received the Charter Amendment approved as to form by the City Attorney's Office.

100633 [Split Appointments to the Recreation and Park Commission; Recreation and Park Department and Commission Denials of Entertainment-Related Permits Appealable to the Board of Appeals]

Sponsors: Mirkarimi; Campos, Mar, Daly and Avalos

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Sections 4.106 and 4.113, to split the power to make appointments to the Recreation and Park Commission between the Mayor and the Board of Supervisors, and to make Recreation and Park Department and Commission decisions regarding special event permits and licenses that significantly impact park property or the surrounding neighborhood appealable to the Board of Appeals.

100634 [Health Service Board Terms and Elections]

Sponsor: Elsbernd

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section 12.00, to shorten, on a one-time basis, the term of one Health Service Board member from five years to three years, and the term of another Health Service Board member from five years to two years, so that Board terms will expire in pairs in the future and can be filled during the same Board election.

100635 [Non-Citizen Voting in School Board Elections]

Sponsors: Chiu; Campos, Mar, Avalos, Mirkarimi, Maxwell, Daly and Dufty

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 13.111, to authorize San Francisco residents 18 years of age or older who are the parents, legal guardians or caregivers of children in the San Francisco Unified School District to vote in elections for the Board of Education, regardless of whether the residents are United States citizens.

05/18/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2010.

100636 [Establishment of Rent Board in Charter; Appointment and Removal of Members and Alternate Members]

Sponsors: Campos; Avalos, Daly, Mar, Maxwell and Mirkarimi

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by adding Section 4.136, to: (1) establish the Rent Board in the Charter; (2) authorize the Board of Supervisors to appoint three members, authorize the Mayor to appoint three members, and authorize the Board President and the Mayor together to appoint one member; and (3) provide that the Rent Board will consist of three tenants, two landlords, and two neutral members.

05/18/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 7/1/2010. The 30 Day Rule does not begin until the Legislative Digest has been received by the City Attorney's Office.
6/1/10 - Legislative Digest received from the City Attorney's Office.

100637 **[San Francisco Municipal Transportation Agency - Appointments Policy and Other Procedures]**

Sponsors: Campos; Mirkarimi, Chiu and Mar

Charter Amendment (First Draft) to amend the Charter of the City and County of San Francisco by amending Section(s) 8A. 101, 8A.102, 8A.104, 8A.105, 8A.106, 8A.107, 8A.108, A8.409-1, A8.409-4 and A8.428, and deleting Section and A8.404, to provide for split appointments to the San Francisco Municipal Transportation Agency (MTA) Board of Directors, allocate a share of property tax revenues to the Transportation Fund, require the MTA to resubmit an Agency budget if its budget is rejected by the Board of Supervisors, establish an Office of the MTA Inspector General, and eliminate formulas governing operator wages and benefit payments and subject these matters instead to collective bargaining.

05/18/10; ASSIGNED UNDER 30 DAY RULE to Rules Committee, expires on 6/17/2010.

Ordinances

100608 **[Memorandum of Understanding - Multiple Unions (Crafts Coalition)]**

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Bricklayers and Allied Crafts, Local 3; Hod Carriers, Local 166; Building Inspectors' Association; The Northern California Carpenters Regional Council, Local 22; Carpet, Linoleum and Soft Tile Workers, Local 12; Plasterers and Cement Masons, Local 300; Glaziers, Architectural Metal and Glass Workers, Local Union No. 718; International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artist and Allied Crafts of the United States, Its Territories and Canada, Local 16; International Association of Bridge, Structural, Ornamental, Reinforcing Iron Workers, Riggers and Machinery Movers, Local 377; Auto, Marine and Specialty Painters, Local Union No. 1176; Pile Drivers, Divers, Carpenters, Bridge, Wharf and Dock Builders, Local Union No. 34; Plasterers and Shophands, Local 66; United Union of Roofers, Waterproofers and Allied Workers, Local 40; Sheet Metal Workers International Union, Local 104; Teamsters, Local 853, to be effective July 1, 2010, through June 30, 2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100609 **[Memorandum of Understanding - San Francisco Institutional Police Officers' Association]**

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Institutional Police Officers' Association, to be effective July 1, 2010, through June 30, 2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100610 **[Memorandum of Understanding - San Francisco Deputy Probation Officers' Association]**

Sponsor: Mayor

Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the San Francisco Deputy Probation Officers' Association, to be effective July 1, 2010, through June 30, 2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100611 [Memorandum of Understanding - International Brotherhood of Electrical Workers, Local Union 6]
Sponsor: Mayor
Ordinance adopting and implementing the arbitration award establishing the Memorandum of Understanding between the City and County of San Francisco and the International Brotherhood of Electrical Workers Local Union 6, AFL-CIO, to be effective July 1, 2010, through June 30, 2012.
05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100612 [Memorandum of Understanding - Municipal Attorneys' Association]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Municipal Attorneys' Association, to be effective July 1, 2010, through June 30, 2012.
05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100613 [Memorandum of Understanding - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, Supervising Probation Officers]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO, Supervising Probation Officers, to be effective July 1, 2010, through June 30, 2012.
05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100614 [Memorandum of Understanding - United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local 38 to be effective July 1, 2010, through June 30, 2012.
05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100615 [Memorandum of Understanding - Operating Engineers Local Union No. 3 of the International Union of Operating Engineers]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Operating Engineers Local Union No. 3 of the International Union of Operating Engineers, AFL-CIO to be effective July 1, 2010, though June 30, 2012.
05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100616 [Memorandum of Understanding - Teamsters, Local 856 (Multi-Unit)]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Teamsters, Local 856 (Multi-Unit) to be effective July 1, 2010, through June 30, 2012.
05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100617 [Memorandum of Understanding - Transport Workers Union of America, Local 200]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 200, to be effective July 1, 2010, through June 30, 2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100618 [Memorandum of Understanding - Transport Workers Union of America, Local 250-A (Non-MTA 7410)]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Non-MTA 7410), to be effective July 1, 2010, through June 30, 2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100619 [Memorandum of Understanding - Transport Workers Union of America, Local 250-A (Multi-Unit)]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 250-A (Multi-Unit), to be effective July 1, 2010, through June 30, 2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100620 [Memorandum of Understanding - Service Employees International Union, Local 1021]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Service Employees International Union, Local 1021, to be effective July 1, 2010, through June 30, 2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100621 [Memorandum of Understanding, Amendment No. 4 – Municipal Executives' Association]
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 4 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Municipal Executives' Association by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100622 [Memorandum of Understanding, Amendment No. 3 - International Federation of Professional and Technical Engineers, Local 21]

Sponsor: Mayor

Ordinance adopting and implementing the Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the International Federation of Professional and Technical Engineers, AFL-CIO, Local 21, by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100623 [Memorandum of Understanding, Amendment No. 2 – San Francisco District Attorney Investigators' Association]

Sponsor: Mayor

Ordinance adopting and implementing the arbitration award that establishes Amendment No. 2 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the San Francisco District Attorney Investigators' Association, by implementing specified terms and conditions of employment for FY2010-2011.

05/14/10; ASSIGNED to Government Audit and Oversight Committee.

100624 [Memorandum of Understanding, Amendment No. 4 - Union of American Physicians and Dentists (Unit 8-CC)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 4 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100625 [Memorandum of Understanding, Amendment No. 3 - Union of American Physicians and Dentists (Unit 11-AA)]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100626 [Memorandum of Understanding, Amendment No. 1 - Laborers International Union, Local 261]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 1 to the 2009-2011 Memorandum of Understanding between the City and County of San Francisco and the Laborers, Local 261 by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100627 [Memorandum of Understanding, Amendment No. 3 - Automotive Machinists Union, Local 1414]

Sponsor: Mayor

Ordinance adopting and implementing Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Automotive Machinists Union, Local 1414, Machinists Automotive Trades District 190, International Association of Machinists and Aerospace Workers by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100628 [Compensation for Unrepresented Employees]

Sponsor: Mayor

Ordinance fixing compensation for persons employed by the City and County of San Francisco whose compensations are subject to the provisions of Section A8.409 of the Charter, in job codes not represented by an employee organization, and establishing working schedules and conditions of employment and methods of payment, effective July 1, 2010.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

100639 [Permits for Commercial Parking Garages and Lots]

Sponsor: Alioto-Pier

Ordinance amending sections of the San Francisco Police Code, Business and Tax Regulations Code and Fire Code to: (1) transfer responsibility for parking garage and parking lot permits from the Fire Department to the Police Department; (2) require a commercial parking permit to operate a garage or lot where members of the public can park for a charge; set fees; establish permit issuance, suspension and revocation procedures; establish requirements for permit holders and individuals working at parking garages and lots; and (3) limit the term of a commercial parking permit to one year and require annual application for a commercial parking permit.

05/18/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/17/2010.

100640 [Waiver of Temporary Street Space Occupancy Fee for the Mission Community Market]

Sponsor: Campos

Ordinance waiving the permit fee in Public Works Code Section 724.1(b) for temporary street space occupancy on certain blocks of 22nd Street on Saturday, June 19, 2010, as part of a fundraiser to launch the Mission Community Market.

05/18/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100641 [Expend Grant - California Department of Toxic Substances Control and Amendment to the Annual Salary Ordinance, FY2009-2010 - $74,500]

Sponsor: Chu

Ordinance authorizing the Department of the Environment to expend a grant in the amount of $74,500 from the California Department of Toxic Substances Control to coordinate the Green Business tracking and measurement tool and amending Ordinance No. 183-09 to reflect the addition of one (1) grant funded position at the Department of the Environment.

05/18/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100642 [Appropriating $727,265 of General Fund Reserve and De-Appropriating $397,801 for Salaries, Disability, and Workers' Compensation in the Sheriff's Department - FY2009-2010]

Sponsor: Mayor

Ordinance appropriating $727,265 of General Fund Reserve and de-appropriating $397,081 of expenditure contingency to fund salary expenditures due to State reductions in the Courts, disability pay, and workers' compensation claims in the Sheriff's Department for FY2009-2010. (Fiscal Impact.)

05/18/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100643 [Accept and Expend Grant - Federal Department of Energy Appropriations and Amendment to the Annual Salary Ordinance, FY2009-2010 - $1,000,000]

Sponsor: Mayor

Ordinance authorizing the Department of the Environment to accept and expend a grant in the amount of $1,000,000 from the Federal U. S. Department of Energy appropriations to support the San Francisco Electric Vehicle Initiative and amending Ordinance No. 183-09 to reflect the addition of two (2) grant funded positions at the Department of the Environment.

05/18/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100658 [Bayview Hunters Point Redevelopment Project Area]

Sponsor: Mayor

Ordinance approving and adopting an amendment to the Redevelopment Plan for the Bayview Hunters Point Redevelopment Project Area; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.

05/18/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100659 [Hunters Point Shipyard Redevelopment Project Area]

Sponsor: Mayor

Ordinance approving and adopting an amendment to the Redevelopment Plan for the Hunters Point Shipyard Redevelopment Project Area; approving and authorizing an Interagency Cooperation Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco, in furtherance of the adoption and implementation of the Redevelopment Plan Amendment; adopting findings pursuant to the California Environmental Quality Act; adopting findings that the Redevelopment Plan Amendment is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; adopting other findings pursuant to California Community Redevelopment Law, including findings pursuant to Sections 33445 and 33445.1.

05/18/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100661 [Subdivision Code - Candlestick Point and Hunters Point Shipyard]
Sponsor: Mayor
Ordinance amending the Hunters Point Shipyard Subdivision Code to rename the Code's Division 3 title and make various amendments pertaining to the subdivision process in Phase 2 of the Hunters Point Shipyard Redevelopment Plan and Zone 1 of the Bayview Hunters Point Redevelopment Project Area, including the establishment of a procedure for reviewing and filing vesting tentative transfer maps; and making environmental findings.

05/18/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/17/2010.

100427 [Integrated Pest Management]
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Environment Code by amending Section 304, to increase notice requirements for the use of pesticides on City property, and adding Section 310, to provide a process for residents to appeal the use of pesticides on City property to the Director of the Department of the Environment.

04/06/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 5/5/2010.

04/09/10; ASSIGNED to City Operations and Neighborhood Services Committee.

04/13/10; REFERRED TO DEPARTMENT.

05/18/10; SUBSTITUTED.

05/18/10; ASSIGNED to City Operations and Neighborhood Services Committee.

100104 [Retailers Duty to Disclose Specific Absorption Rate Values for Cell Phones]
Sponsors: Mayor; Maxwell
Ordinance amending the San Francisco Environment Code by adding Chapter 11, Sections 1100 through 1105, to require retailers to disclose specific absorption rate values for cell phones, and making environmental findings.
(Supervisor Elsbernd dissented in Committee)

01/26/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 2/25/2010.

02/04/10; REFERRED TO DEPARTMENT.

03/09/10; RESPONSE RECEIVED.

04/15/10; RESPONSE RECEIVED.

05/11/10; SUBSTITUTED.

05/11/10; ASSIGNED to City Operations and Neighborhood Services Committee.

05/17/10; REFERRED TO DEPARTMENT.

05/18/10; SUBSTITUTED.

05/18/10; ASSIGNED to City Operations and Neighborhood Services Committee.

Resolutions

100644 [Contract Amendment - Serco, Inc., for Parking Meter Collection and Management Services - Not to Exceed $77,300,000]
Sponsor: Chiu
Resolution approving the ninth amendment to an agreement with Serco, Inc., for parking meter collection and management services, to extend the term by two years and increase the contract amount by $16,800,000 for a total contract amount not to exceed $77,300,000.
(Fiscal Impact.)

05/18/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100645 [Naming the 17th Street Pedestrian Plaza in the Castro as Jane Warner Plaza]
Sponsor: Dufty
Resolution naming the 17th Street pedestrian plaza located at the intersection of 17th Street, Castro Street and Market Street as Jane Warner Plaza.

05/18/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100646 [Issuance and Sale of Tax-Exempt Bonds - Children's Day School, Inc. - Not to Exceed $10,000,000]
Sponsor: Dufty
Resolution approving the issuance and sale of tax-exempt bonds by the California Municipal Finance Authority in an aggregate principal amount not to exceed $10,000,000 to finance various capital facilities owned or leased by Children's Day School.

05/18/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100647 [Contract Extension - Department of Public Health and Regents of the University of California San Francisco for the Positive Health Program for Chronic Care HIV/AIDS Multi-Disciplinary Program]
Sponsors: Mayor; Dufty
Resolution authorizing the San Francisco Department of Public Health to extend the contract between the City and County of San Francisco and Regents of the University of California San Francisco for the Positive Health Program for Chronic Care HIV/AIDS Multi-Disciplinary Program to provide Center of Excellence delivery of service which includes HIV/AIDS case management, primary medical care, mental health services, substance use counseling, and coordination and planning services.

05/18/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100648 [Accept and Expend Grant - Caltrans Community Design Process for Cesar Chavez Street - $250,000]
Sponsors: Mayor; Maxwell, Campos and Dufty
Resolution authorizing the San Francisco Planning Department to retroactively accept and expend a grant in the amount of $250,000 from Caltrans for the period February 16, 2010, through February 28, 2012, in order to conduct a community design process for Cesar Chavez Street.

05/18/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100649 [Lease of Bill Graham Civic Auditorium to BGCA Management, LLC - 99 Grove Street]

Sponsors: Mayor; Dufty

Resolution approving and authorizing a lease of the Bill Graham Civic Auditorium located at 99 Grove Street to BGCA Management, LLC for a term of approximately 20 years, with two five-year extension options, under San Francisco Charter Section 9.118; and making findings that the lease is in conformance with the City's General Plan and is categorically exempt from environmental review under CEQA.

(Fiscal Impact.)

05/18/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100650 [Urging to Opt-Out of "Secure Communities"]

Sponsors: Mar; Campos, Avalos, Maxwell, Daly, Mirkarimi, Chiu and Dufty

Resolution urging the San Francisco Sheriff's Department, the Juvenile Probation Department and the San Francisco Police Department to opt-out of participating in the Police Immigration and Customs Enforcement collaboration program known as "Secure Communities."

05/18/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100651 [Calling on State, Federal, and International Lawmakers to Ensure Fair and Just Treatment of Domestic Workers]

Sponsors: Mar; Campos, Avalos, Chiu, Mirkarimi, Maxwell, Dufty and Daly

Resolution calling on State, Federal, and International Lawmakers to ensure fair and just treatment of domestic workers.

05/18/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100652 [Opposing Assembly Bill 2650 - Regarding Unnecessary Regulations and Intrusion into the City and County's Authority]

Sponsor: Daly

Resolution opposing Assembly Bill 2650, opposing unnecessary State intrusions on the City and County's land use and regulatory authority, and urging San Francisco's State Representatives to oppose this bill and any similar legislation to unnecessarily regulate the location of medical cannabis facilities in contravention of existing or future local ordinances.

05/18/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100653 [Supporting the 2010 National Asian Pacific Islander American Historic Preservation Forum]

Sponsor: Chiu

Resolution supporting the 2010 National Asian Pacific Islander American Historic Preservation Forum to protect and preserve the legacies of Asian and Pacific Islander cultures in America.

05/18/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100654 [Gift for the Repair and Maintenance of the Crocker Amazon Football Field]
Sponsors: Avalos; Elsbernd
Resolution authorizing and approving a Gift from Sacred Heart Cathedral Preparatory for up to $30,000 for renovations of the Crocker Amazon football field; and $39,884 for the salary of a half-time gardener for one year, to be made on a monthly basis.

05/18/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100655 [Proclaiming Lyme Disease Awareness Month - May 2010]
Sponsors: Alioto-Pier; Dufty
Resolution proclaiming May 2010, as Lyme Disease Awareness Month in the City and County of San Francisco.

05/18/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100660 [Candlestick Point and Shipyard Phase 2 Redevelopment Project; Real Property Transfer and Public Trust Exchange]
Sponsor: Mayor
Resolution approving and authorizing the execution, delivery and performance of: (1) a Real Property Transfer Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco for Certain City Property at Candlestick Point, and (2) a Title Settlement, Public Trust Exchange and Boundary Line Agreement between the City and County of San Francisco (acting by and through the Board of Supervisors and through the Port Commission), the Redevelopment Agency of the City and County of San Francisco, the California State Lands Commission and the California Department of Parks and Recreation, both agreements being in furtherance of the Candlestick Point and Phase 2 of the Hunters Point Shipyard Redevelopment Project.

05/18/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100662 [Tax Increment Allocation Pledge Agreement for the Candlestick Point and Phase 2 of the Hunters Point Shipyard Project]
Sponsor: Mayor
Resolution approving a Tax Increment Allocation Pledge Agreement between the City and County of San Francisco and the Redevelopment Agency of the City and County of San Francisco for the pledge of net available tax increment to finance public improvements and affordable housing in furtherance of the Candlestick Point and Phase 2 of the Hunters Point Shipyard Redevelopment Project; adopting findings under the California Environmental Quality Act; and adopting findings that the agreement is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1.

05/18/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests for Hearing

100656 [Impact of Contracting Out Jail Health Services]
Sponsor: Campos
Hearing on the negative impacts and hidden costs of contracting out jail health services.

05/18/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

100657 [Proposal to Contract Out City Functions]
Sponsor: Avalos
Hearing to consider new proposals to contracting out city functions, such as security and janitorial services, that are currently performed by civil service employees.

05/18/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by President at Request for Department

PROPOSED ORDINANCES

100517 [Settlement of Lawsuit - Susan Garduno - $47,500]
Ordinance authorizing settlement of the portion of the lawsuit filed by Susan Garduno against the City and County of San Francisco for $47,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

05/05/10; RECEIVED AND ASSIGNED to Rules Committee.

100518 [Settlement of Lawsuit - Linda Ho - $88,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Linda Ho against the City and County of San Francisco for $88,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

05/05/10; RECEIVED AND ASSIGNED to Rules Committee.

100519 [Settlement of Lawsuit - Victoria Sanchez - $66,500]
Ordinance authorizing settlement of the portion of the lawsuit filed by Victoria Sanchez against the City and County of San Francisco for $66,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

05/18/10; RECEIVED AND ASSIGNED to Rules Committee.

100520 [Settlement of Lawsuit - Sally Seid - $48,500]
Ordinance authorizing settlement of the portion of the lawsuit filed by Sally Seid against the City and County of San Francisco for $48,500; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

05/05/10; RECEIVED AND ASSIGNED to Rules Committee.

100521 [Settlement of Lawsuit - Mary Anne Short and Robert Short - $160,000]
Ordinance authorizing settlement of the portion of the lawsuit filed by Mary Anne Short/Robert Short against the City and County of San Francisco for $160,000; the lawsuit was filed on January 31, 2005, in San Francisco Superior Court, Case No. 436930; entitled Jane Martin, et al. v. City and County of San Francisco, et al. (City Attorney)

05/05/10; RECEIVED AND ASSIGNED to Rules Committee.

100559 [Settlement of Lawsuit - SN Sands Corp. dba S&S Trucking - $50,000]
Ordinance authorizing settlement of the lawsuit filed by SN Sands Corp. dba S&S Trucking against the City and County of San Francisco for $50,000; the lawsuit was filed on April 10, 2009, in San Francisco Superior Court, Case No. CGC-09-487156; entitled SN Sands Corporation dba S&S Trucking v. City and County of San Francisco; other material terms of said settlement are term of five-year contract to run from December 20, 2008, to December 19, 2013. (City Attorney)

05/05/10; RECEIVED AND ASSIGNED to Rules Committee.

100560 [Settlement of Lawsuit - James A. Shotwell - $167,500]
Ordinance authorizing settlement of the lawsuit filed by James A. Shotwell against the City and County of San Francisco for $167,500; the lawsuit was filed on September 26, 2008, in San Francisco Superior Court, Case No. CGC-08-480280; entitled James A. Shotwell v. City and County of San Francisco. (City Attorney)

05/05/10; RECEIVED AND ASSIGNED to Rules Committee.

100561 [Settlement of Lawsuit - 609-611 Burnett Apartments, LLC - $128,700]
Ordinance authorizing settlement of the lawsuit filed by 609-611 Burnett Apartments, LLC, against the City and County of San Francisco for $128,700; the lawsuit was filed on December 9, 2008, in San Francisco Superior Court, Case No. CGC-08-482803; entitled Burnett Apartments, LLC, v. City and County of San Francisco, et al. (City Attorney)

05/05/10; RECEIVED AND ASSIGNED to Rules Committee.

100562 [Settlement of Lawsuit - Melanie Wood and Timothy Wood - $151,000]
Ordinance authorizing settlement of the lawsuit filed by Melanie Wood and Timothy Wood against the City and County of San Francisco for $151,000; the lawsuit was filed on June 4, 2007, in San Francisco Superior Court, Case No. CGC-07-463943; entitled Melanie Wood, et al. v. City and County of San Francisco, et al. (City Attorney)

05/10/10; RECEIVED AND ASSIGNED to Rules Committee.

PROPOSED RESOLUTIONS

100456 [Agreement to Purchase Easements in Connection with the New Irvington Tunnel Project in Alameda County]
Resolution approving and authorizing an Agreement for Purchase and Sale of Real Estate to acquire for $57,500 a permanent well easement and a temporary construction easement in Alameda County for the public purpose of constructing the San Francisco Public Utilities Commission New Irvington Tunnel Project; adopting findings under the California Environmental Quality Act; adopting findings that the purchase is consistent with the City's General Plan and Eight Priority Policies of City Planning Code Section 101.1; and authorizing the Director of Property to execute documents, make certain modifications and take certain actions in furtherance of this resolution. (Real Estate Department)

05/06/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100567 [Official Advertising, FY2010-2011]

Resolution designating the Examiner to be the official newspaper of the City and County of San Francisco for all official advertising (Type 1 and Type 2) for FY2010-2011. (Office of Contract Administration)

05/07/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100568 [Outreach Advertising for FY2010-2011]

Resolution designating El Reportero to be the outreach newspaper of the City and County for the Hispanic community, Bay Area Reporter to be the outreach newspaper of the City and County for the Lesbian, Gay, Bisexual community, and the West Portal Monthly to be the neighborhood outreach newspaper for the West Portal neighborhood, to provide outreach advertising for FY2010-2011. (Office of Contract Administration)

05/07/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irvine and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight
Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

55 Laguna
295 Buchanan
222 Fillmore
1501 Haight
1605 Haight
909 Page
44 Webster, on side of building
546 Haight
507 Haight
525 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Wood Pole
Southeast corner Haight & Fillmore

Metal Poles
Southwest corner Divisadero & Haight
In front of 345 Haight
Northwest corner Laguna & Haight
In front of 109 Fillmore
Northwest corner Fulton & Laguna
Northeast corner Fillmore & Haight
Southwest corner McAllister & Laguna
Southwest corner Haight & Buchanan

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes
Southwest corner Steiner & Waller
Northeast corner Scott & Waller
Northeast corner Hayes & Broderick

Bus Shelters
Southeast corner Buchanan & Hayes
Southwest corner Haight & Buchanan
Southeast corner McAllister & Webster
Northwest corner Laguna & Haight
Southwest corner Hayes & Broderick
Southwest corner Lyon & Hayes
Fillmore and Haight (all 4 bus stops, graffiti & grime)

Fire Hydrant
Southwest corner Laguna & Fulton

Emergency Boxes
Southeast corner Laguna & Fulton

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
Northwest corner Haight & Clayton
Southwest corner Waller & Fillmore

Mailbox
Southwest corner McAllister & Gough

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes and sidewalk issues at the following location: On Fulton, west of Clayton.

From: Supervisor Mirkarimi
To: Director, Recreation and Parks Department
Requesting/Inquiring: Requesting the Recreation and Parks Department to report on the 2010 Bay to Breakers race, including the number of department staff that were deployed, any incident reports from the Park Rangers, and any areas of concern related to the race.

From: Supervisor Mirkarimi
To: Chief George Gascon, San Francisco Police Department
Requesting/Inquiring: Requesting the Police Department to report on the 2010 Bay to Breakers race, including the number of officers that were deployed, a list of arrests that were made, and a list of emergency and non-emergency calls related to the race.

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of cleanup after the 2010 Bay to Breakers race, including a list of which streets were mechanically cleaned after the race, the amount of trash that was collected, and a description of any areas of particular concern with the race.

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 7:22 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 22, 2010.

Angela Calvillo, Clerk of the Board

BOARD OF SUPERVISORS
CITY AND COUNTY OF SAN FRANCISCO

MEETING MINUTES

GOVERNMENT
DOCUMENTS DEPT

DEC 16 2011

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Tuesday, May 25, 2010 - 2:00 PM

Legislative Chamber, Room 250
City Hall, 1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Regular Meeting

DAVID CHIU, PRESIDENT
MICHELA ALIOTO-PIER, JOHN AVALOS, DAVID CAMPOS, CARMEN CHU, CHRIS DALY, BEVAN DUFTY, SEAN ELSBERND, ERIC MAR, SOPHIE MAXWELL, ROSS MIRKARIMI

Angela Calvillo, Clerk of the Board

BOARD COMMITTEES

Committee Membership	Meeting Days
Budget and Finance Committee Supervisors Avalos, Mirkarimi, Elsbernd, Maxwell, Campos	Wednesday 1:30 PM
Budget and Finance Sub-Committee Supervisors Avalos, Mirkarimi, Elsbernd	Wednesday 11:00 AM
City and School District Select Committee Supervisors Dufty, Alioto-Pier, Daly, Fewer, Kim, Mendoza	1st and 3rd Thursday 3:30 PM
City Operations and Neighborhood Services Committee Supervisors Chu, Avalos, Elsbernd	2nd and 4th Monday 10:30 AM
Government Audit and Oversight Committee Supervisors Mar, Chu, Maxwell	2nd and 4th Thursday 1:00 PM
Land Use and Economic Development Committee Supervisors Maxwell, Mar, Chiu	Monday 1:00 PM
Public Safety Committee Supervisors Chiu, Mirkarimi, Dufty	1st and 3rd Monday 10:00 AM
Rules Committee Supervisors Campos, Alioto-Pier, Mar	1st and 3rd Thursday 10:00 AM

First-named Supervisor/Commissioner is Chair, Second-named Supervisor/Commissioner is Vice-Chair of the Committee

Members Present: Michela Alioto-Pier, John Avalos, David Campos, David Chiu, Carmen Chu, Chris Daly, Bevan Dufty, Sean Elsbernd, Eric Mar, Sophie Maxwell and Ross Mirkarimi

ROLL CALL AND PLEDGE OF ALLEGIANCE

The meeting was called to order at 2:10 p.m. On the call of the roll, Supervisor Chu was noted absent. Supervisor Chu was noted present at 2:11 p.m.

AGENDA CHANGES

There were none.

APPROVAL OF MEETING MINUTES

Supervisor Maxwell, seconded by Supervisor Mar, moved to approve the Board Meeting Minutes of April 27, 2010. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

COMMUNICATIONS

There were none.

CONSENT AGENDA

Recommendations of the Budget and Finance Sub-Committee

100470 [Appropriating Surplus Revenues and Expenditures to Support Cost Overruns in the Department of Public Health for FY2009-2010 - $20,807,609]

Sponsor: Mayor

Ordinance appropriating $20,807,609, including appropriating $19,923,697 of surplus San Francisco General Hospital revenue and $7,500 of Laguna Honda Hospital revenues, de-appropriating $876,412 of Laguna Honda Hospital and non-hospital operations expenditures, to fund cost overruns in the Department of Public Health, including $13,258,088 at San Francisco General Hospital, $6,176,521 at Laguna Honda Hospital, and $1,373,000 in non-hospital operations, for FY2009-2010.
(Fiscal Impact.)

FINALLY PASSED

100527 [Accept and Expend Grant - Human Services Agency's Temporary Assistance to Needy Families Emergency Contingency Fund as Part of the American Recovery and Reinvestment Act of 2009 and Amendment to the Annual Salary Ordinance, FY2009-2010 - $20,014,497]

Sponsor: Mayor

Ordinance amending the FY2009-2010 Annual Salary Ordinance (Ordinance No. 183-09) to reflect the addition of temporary and permanent salaries of $8,496,952 and authorizing the Human Services Agency to retroactively accept and expend a grant in the amount of $20,014,497 from the United States Department of Health and Human Services, Temporary Assistance to Needy Families Emergency Contingency Fund, as part of the American Recovery and Reinvestment Act of 2009, to support the Mayor's Jobs NOW Program.

FINALLY PASSED

Recommendation of the Budget and Finance Committee

100362 [Proposition J Contract/Certification of Specified Contracted-Out Services Previously Approved for Enterprise Departments]

Sponsor: Mayor

Resolution concurring with the Controller's certification that services previously approved can be performed by private contractor for a lower cost than similar work performed by City and County employees, for the following services: employee and public parking management services, general security services, information booth services, and shuttle bus services (Airport); paratransit services, comprehensive facility security services, parking citation and collection system, meter coin counting and collection services, towing contract services, and transit shelter maintenance services (MTA); and janitorial services and security services (Port).

ADOPTED

Recommendations of the Rules Committee

100358 [Settlement of Lawsuit - Noah Booher - $35,000]

Ordinance authorizing settlement of the lawsuit filed by Noah Booher against the City and County of San Francisco for $35,000; the lawsuit was filed on March 10, 2009, in the United States District Court for the Northern District of California, Case No. C08-1045 MHP, entitled Noah Booher v. City and County of San Francisco et al. (City Attorney)

FINALLY PASSED

100359 [Settlement of Lawsuit - Betty C. Bullock - $134,000]

Ordinance authorizing settlement of the lawsuit filed by Betty C. Bullock against the City and County of San Francisco for $134,000; the lawsuit was filed on December 1, 2008, in San Francisco Superior Court, Case No. 482347; entitled Betty C. Bullock v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

100361 [Settlement of Lawsuit - Assimina Mavromatis - $29,500]

Ordinance authorizing settlement of the lawsuit filed by Assimina Mavromatis against the City and County of San Francisco for $29,500; the lawsuit was filed on July 6, 2007, in San Francisco Superior Court, Case No. CGC 07-464948; entitled Assimina Mavromatis, et al., v. City and County of San Francisco, et al. (City Attorney)

FINALLY PASSED

100515 [Settlement of Lawsuit - Blackhawk Parent, LLC - $250,000]

Ordinance authorizing settlement of tax refund lawsuit filed by Blackhawk Parent, LLC, against the City and County of San Francisco for $250,000; the lawsuit entitled Blackhawk Parent, LLC, v. City and County of San Francisco, Case No. 478-160 filed August 1, 2008, in San Francisco Superior Court. (City Attorney)

FINALLY PASSED

The foregoing items were acted upon by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

REGULAR AGENDA

UNFINISHED BUSINESS

From the Board

100638 [Adopting Findings Reversing the Exemption Determination for the 424 Francisco Street Project]

Motion adopting findings reversing the determination by the Planning Department that the 424 Francisco Street project is exempt from further environmental review. (Clerk of the Board)

Privilege of the floor was granted to Marlena Byrne (City Attorney's Office) who responded to questions raised throughout the discussion regarding File No. 100638.

Supervisor Chiu, seconded by Supervisor Daly, moved that this Motion be AMENDED, on Page 2, Lines 10-11, by replacing 'shared concerns' with 'finds'; on Page 2, Line 11, by replacing 'supported' with 'to support'; on Page 2, Line 12, by replacing 'project' with 'Project'; on Page 2, Line 15, by replacing 'heard and shared concerns' with 'finds'; on Page 2, Lines 15-16, by replacing 'project' with 'Project'; on Page 2, Line 22, by replacing 'project' with 'Project'; on Page 3, Line 2, by replacing 'project' with 'Project'; on Page 3, Line 3, by adding ', the raising of the building' after 'entrance'; on Page 3, Line 7, by replacing 'The' with 'This Board finds that the'; on Page 3, Line 7, by adding 'public' after 'provide'; on Page 3, Line 8, by replacing 'under' with 'as required by'; on Page 3, Lines 12-17, by moving the entire paragraph to Page 4, Line 23, through Page 5, Line 4; on Page 3, Lines 24-25, by adding 'grants the appeal of the exemption determination and' after 'Supervisors'; on Page 4, Lines 9-12, by adding 'that the categorical exemption is void and that any further consideration of project approval must be preceded by preparation of' after 'directs'; on Page 4, Lines 10-11, by deleting 'the Planning Department to prepare'; and on Page 4, Line 14, by deleting 'of four or more units.' The motion carried by the following vote:

Ayes: 9 - Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Noes: 2 - Alioto-Pier, Elsbernd

Supervisor Dufty, seconded by Supervisor Alioto-Pier, moved that this Motion be AMENDED, on Page 2, Line 11, by deleting 'substantial evidence in the record support a fair argument that'; on Page 2, Line 17, by replacing 'a' with 'this'; on Page 2, Lines 17-18, by deleting '(specifically, a residence, such as this one, of four or more units)'; on Page 2, Lines 18-19, by deleting 'the Broadway Neighborhood Commercial District'; on Page 2, Lines 20-21, by deleting ', the Chinatown Mixed Use Districts, and the Telegraph Hill North Beach Residential Special Use District'; on Page 3, Line 22, by deleting 'substantial' and 'supporting a fair argument'; on Page 4, Lines 7-8, by replacing 'prepare an environmental impact report (EIR)' with 'conduct further environmental review'; on Page 4, Line 9, by replacing 'such EIR' with 'the Department'; on Page 4, Lines 10-11, by replacing 'residential buildings of four or more units' with 'this building'; on Page 4, Line 11, by deleting 'the Broadway Neighborhood Commercial District'; and on Page 4, Lines 12-13, by deleting ', the Chinatown Mixed Use Districts, and the Telegraph Hill North Beach Residential Special Use District.' The motion FAILED by the following vote:

Ayes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd
Noes: 7 - Avalos, Campos, Chiu, Daly, Mar, Maxwell, Mirkarimi

APPROVED AS AMENDED by the following vote:

Ayes: 7 - Avalos, Campos, Chiu, Daly, Mar, Maxwell, Mirkarimi
Noes: 4 - Alioto-Pier, Chu, Dufty, Elsbernd

NEW BUSINESS

Recommendations of the Budget and Finance Sub-Committee

100030 [Amendment to Contract - AnsaldoBreda, Inc., for Light Rail Vehicle Systems Overhaul - Not to Exceed $68,749,421]
Sponsors: Chiu and Dufty
Resolution approving Amendment One to Contract No. APT 591.01, light rail vehicle doors and steps reconditioning and systems rehabilitation, between the City and County of San Francisco, through the San Francisco Municipal Transportation Agency, and AnsaldoBreda, Inc., to rehabilitate the trucks of 34 light rail vehicles, at the cost of $11,996,867 for a total contract amount not to exceed $68,749,421 and to extend the term of the contract from five years to six years.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100502 [2010 Equipment Lease Supplement No. 16 - Not to Exceed $11,500,000]
Sponsor: Mayor
Resolution approving the form of and authorizing execution and delivery by the City and County of San Francisco of an Equipment Lease Supplement No. 16 (Series 2010A Bonds) between the City and County of San Francisco Finance Corporation, as lessor, and the City and County of San Francisco, as lessee, with respect to certain equipment to be used for city purposes, a related certificate of approval and a continuing disclosure certificate; approving the issuance of lease revenue bonds by said nonprofit corporation in an amount not to exceed $11,500,000; approving the form of the official statement in preliminary and final form; providing for reimbursement to the City and County of San Francisco of certain city expenditures incurred prior to the issuance of lease revenue bonds; and providing for the execution of documents in connection therewith. (Fiscal Impact.)

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100534 [Water Revenue Bonds Issuance - 2010]
Sponsor: Mayor
Resolution approving the issuance of water revenue bonds and water revenue refunding bonds to be issued by the Public Utilities Commission of the City and County of San Francisco; affirming covenants contained in the indenture pursuant to which the water revenue bonds are issued; authorizing the taking of appropriate actions in connection therewith; and related matters.

ADOPTED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

100488 [Recreation and Park Department - Coit Tower Non-Resident Fees]
Sponsor: Mayor
Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.06, to establish non-San Francisco resident fees for the elevator at Coit Tower, and making environmental findings.

PASSED, ON FIRST READING by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

From the Budget and Finance Sub-Committee Without Recommendation

100469 [Recreation and Park Department - Botanical Garden Non-Resident Fees]
Sponsor: Mayor

Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.46, to establish admission fees to the Botanical Garden for non-San Francisco residents, and making environmental findings.

Supervisor Avalos, seconded by Supervisor Mirkarimi, moved that this Ordinance be AMENDED, on Page 5, Lines 7-9, by replacing 'In the event the Department receives new tax revenue in future years it shall rescind the non-resident fee for entrance to the Botanical Gardens' with 'If the Department receives revenue from new tax that can be used for operating and maintenance costs at the Botanical Gardens, authority to collect the non-resident fee for entrance to the Gardens shall expire by operation of the law within 90 days after the effective date of the new tax.' The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Mirkarimi, seconded by Supervisor Mar, moved that this Ordinance be AMENDED, on Page 5, Lines 10-12, by replacing 'With its budget submission for Fiscal Year 2011-12, the Department shall report to the Budget Finance on its collection of the non-resident fee for entrance to the Botanical Gardens' with 'The Department shall provide biannual reports to the Budget and Finance Committee on its collection of the non-resident fee for entrance to the Botanical Gardens, such reports shall include the following information: 1. Attendance figures for San Francisco residents, Members of San Francisco Botanical Garden Society, and Non-San Francisco residents; 2. Capital improvements and operating costs of the Botanical Gardens; 3. Capital improvements and operating costs associated with the collection of the non-resident fee, including a new resident fee; 4. The numbers of San Francisco Botanical Garden Society members; and 5. Gifts and donations received by the Department for the Botanical Garden.' The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

PASSED ON FIRST READING AS AMENDED by the following vote:

Ayes: 8 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Elsbernd, Maxwell
Noes: 3 - Dufty, Mar, Mirkarimi

SPECIAL ORDER 3:30 P.M. - Recognition of Commendations

Privilege of the Floor

Supervisor Campos, seconded by Supervisor Dufty, moved to suspend Rule 4.37 of the Rules of Order of the Board of Supervisors to grant privilege of the floor to the following guests. The motion carried by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

Supervisor Dufty introduced, welcomed, and presented a Certificate of Honor to Bishop Senyonjo of Uganda in recognition of his human rights advocacy. Privilege of the floor was granted to Andrea Shorter (Commission on the Status of Women) who shared in the sentiments expressed by Supervisor Dufty.

Supervisor Chu, introduced, welcomed, and presented Certificates of Honor to Paul Yep, Curtis Liu, Barrett Chan, Andy Ting, Daryl Fong, and Henry Seto, of the San Francisco Asian Police Officers Association in recognition of their accomplishments organizing a fundraiser for the families and victims of the recent anti-Asian violence and for their continued community support.

Supervisor Campos presented a Certificate of Honor to Supervisor Dufty in recognition of being a role model as an advocate and parent in the LGBT community and his work with Family Builders Agency.

Supervisor Maxwell introduced, welcomed, and presented a Certificate of Honor to Dr. Davi Pakter of the Healing Project at Potrero Hill Health Center in recognition of the project's accomplishments and continued community support.

COMMITTEE REPORT

Recommendation of the Rules Committee

100603 [Appointment, Police Commission - Angela Chan]

Motion confirming the Rules Committee's nomination of, and appointing, Angela Chan, term ending April 30, 2014, to the San Francisco Police Commission. (Clerk of the Board)
Angela Chan, seat 2, succeeding Vincent Pan, term expired, must be nominated by the Rules Committee or its successor and subject to confirmation by the Board of Supervisors for the unexpired portion of a four-year term ending April 30, 2014.

APPROVED by the following vote:

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Elsbernd, Mar, Maxwell, Mirkarimi

ROLL CALL FOR INTRODUCTIONS

See Legislation Introduced below.

Privilege of the floor was granted to Harvey Rose (Budget Analyst) who responded to the sentiments shared by the Board of Supervisors of the passing of Ken Bruce.

PUBLIC COMMENT

Abdullah Megaheed; expressed various concerns.
James Chaffee; expressed concerns relating to the SF Public Library.
Peter Alexander; expressed various concerns.
Male Speaker; expressed concerns relating to Recreation and Park services.
Doug Moore; expressed concerns relating to a Police Department matter.
Douglas Yep; expressed concerns relating to a Police Department matter.
Walter Paulson; shared in song certain concerns with the Board.
Robin; expressed support for Lyme Disease Month proclamation.
Lydia Morales; expressed support for the Healing Project at Potrero Hill Health Center.
Rozalina Gutman; expressed support for the Healing Project at Potrero Hill Health Center.
Male Speaker; expressed concerns relating to war.
Female Speaker; expressed concerns relating to war.
Carina; expressed support for the proposed secure communities opt-out legislation.
Morgan Basquez; expressed support for the proposed secure communities opt-out legislation.
Angela Chan; expressed support for the proposed secure communities opt-out legislation.
John DiDonna; shared in poem certain concerns with the Board.
Cathy Graham; expressed various concerns.

FOR ADOPTION WITHOUT COMMITTEE REFERENCE

Supervisor Elsbernd was noted absent at 4:02 p.m. for the remainder of the meeting.
Supervisor Daly was noted absent at 4:08 p.m. Supervisor Daly was noted present at 4:39 p.m.
Supervisor Maxwell was noted absent at 4:12 p.m. Supervisor Maxwell was noted present at 4:40 p.m.
Supervisor Alioto-Pier was noted absent at 4:20 p.m. Supervisor Alioto-Pier was noted present at 4:36 p.m.

100651 [Calling on State, Federal, and International Lawmakers to Ensure Fair and Just Treatment of Domestic Workers]
Sponsors: Mar; Campos, Avalos, Chiu, Mirkarimi, Maxwell, Dufty and Daly
Resolution calling on State, Federal, and International Lawmakers to ensure fair and just treatment of domestic workers.

Supervisor Daly requested to be added as a co-sponsor.

ADOPTED

100653 [Supporting the 2010 National Asian Pacific Islander American Historic Preservation Forum]
Sponsor: Chiu
Resolution supporting the 2010 National Asian Pacific Islander American Historic Preservation Forum to protect and preserve the legacies of Asian and Pacific Islander cultures in America.

ADOPTED

100655 [Proclaiming Lyme Disease Awareness Month - May 2010]
Sponsors: Alioto-Pier; Dufty
Resolution proclaiming May 2010, as Lyme Disease Awareness Month in the City and County of San Francisco.

ADOPTED

The foregoing items were acted upon by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Absent: 1 - Elsbernd

Severed from the For Adoption Without Committee Reference Agenda

Supervisor Chu requested that File Nos. 100650 and 100652 be severed so that they may be considered separately.

100650 [Urging to Opt-Out of "Secure Communities"]
Sponsors: Mar; Campos, Avalos, Maxwell, Daly, Mirkarimi, Chiu and Dufty
Resolution urging the San Francisco Sheriff's Department, the Juvenile Probation Department and the San Francisco Police Department to opt-out of participating in the Police Immigration and Customs Enforcement collaboration program known as "Secure Communities."

Supervisor Chu, seconded by Supervisor Maxwell, moved that this Resolution be CONTINUED to June 8, 2010. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Absent: 1 - Elsbernd

100652 [Opposing Assembly Bill 2650 - Regarding Unnecessary Regulations and Intrusion into the City and County's Authority]
Sponsor: Daly
Resolution opposing Assembly Bill 2650, opposing unnecessary State intrusions on the City and County's land use and regulatory authority, and urging San Francisco's State Representatives to oppose this bill and any similar legislation to unnecessarily regulate the location of medical cannabis facilities in contravention of existing or future local ordinances.

Supervisor Chu, seconded by Supervisor Daly, moved that this Resolution be CONTINUED to June 8, 2010. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Absent: 1 - Elsbernd

Supervisor Avalos requested that File No. 100654 be severed so that it may be considered separately.

100654 [Gift for the Repair and Maintenance of the Crocker Amazon Football Field]
Sponsors: Avalos; Elsbernd
Resolution authorizing and approving a Gift from Sacred Heart Cathedral Preparatory for up to $30,000 for renovations of the Crocker Amazon football field; and $39,884 for the salary of a half-time gardener for one year, to be made on a monthly basis.

Supervisor Avalos, seconded by Supervisor Maxwell, moved that this Resolution be AMENDED on Page 1, Line 12, by replacing 'Sacred Heart Preparatory' with 'Sacred Heart Cathedral Preparatory'; on Page 1, Line 14, by adding 'and other outdoor sports'; on Page 1, Line 15, by replacing 'Sacred Heart Preparatory' with 'Sacred Heart Cathedral Preparatory'; on Page 1, Line 17, by replacing 'Sacred Heart Preparatory' with 'Sacred Heart Cathedral Preparatory'; on Page 1, Line 20, by replacing 'Sacred Heart Preparatory' with 'Sacred Heart Cathedral Preparatory'; and on Page 1, Line 24, by replacing 'Sacred Heart Preparatory' with 'Sacred Heart Cathedral Preparatory'. The motion carried by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Absent: 1 - Elsbernd

ADOPTED AS AMENDED by the following vote:

Ayes: 10 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Dufty, Mar, Maxwell, Mirkarimi
Absent: 1 - Elsbernd

IMPERATIVE AGENDA

There were none.

LEGISLATION INTRODUCED AT ROLL CALL

Introduced by a Supervisor or Mayor

Ordinances

100671 [Smoking Prohibition Signage Requirement]
Sponsor: Mar
Ordinance amending San Francisco Health Code Section 1009.22 to clarify signage language requirement.

05/25/10; ASSIGNED UNDER 30 DAY RULE to City Operations and Neighborhood Services Committee, expires on 6/24/2010.

100674 [Expanding the Entertainment Commission's Power to Revoke Permits]
Sponsor: Chiu
Ordinance amending Sections 1060.20.4 and 1070.20 of the San Francisco Police Code to expand the grounds for revocation of place of entertainment permits, extended-hours premises permits, and one time event permits to include: (1) public safety considerations, where operation of the permit poses a substantial risk of physical harm or injury to individuals, and (2) where the permittee's persistent action or inaction causes serious and continuing problems that amount to a public nuisance.

05/25/10; ASSIGNED UNDER 30 DAY RULE to Public Safety Committee, expires on 6/24/2010.

100675 [Zoning - Presidio-Sutter Special Use District at 800 Presidio Avenue]
Sponsor: Alioto-Pier
Ordinance amending the San Francisco Planning Code by adding Section 259.53 to establish the Presidio-Sutter Special Use District for property at 800 Presidio Avenue (Assessor's Block No. 1073, Lot No.13); amending Sheet HT03 of the Zoning Map to change the Height and Bulk District from 40-X to 50-X and amending Sheet SU-03 of the Zoning Map to reflect the boundaries of the Presidio-Sutter Special Use District; adopting findings, including environmental findings, Section 302 findings, and findings of consistency with the General Plan and the Priority Policies of Planning Code Section 101.1.

05/25/10; ASSIGNED UNDER 30 DAY RULE to Land Use and Economic Development Committee, expires on 6/24/2010.

100624 [Memorandum of Understanding, Amendment No. 4 - Union of American Physicians and Dentists (Unit 8-CC)]
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 4 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 8-CC) by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

05/24/10; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

100625 [Memorandum of Understanding, Amendment No. 3 - Union of American Physicians and Dentists (Unit 11-AA)]
Sponsor: Mayor
Ordinance adopting and implementing Amendment No. 3 to the 2006-2011 Memorandum of Understanding between the City and County of San Francisco and the Union of American Physicians and Dentists (Unit 11-AA) by extending the term of the parties' Agreement through June 30, 2012, and by implementing specified terms and conditions of employment for FYs 2010-2011 and 2011-2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

05/24/10; SUBSTITUTED AND ASSIGNED to Government Audit and Oversight Committee.

100617 [Memorandum of Understanding - Transport Workers Union of America, Local 200]
Sponsor: Mayor
Ordinance adopting and implementing the Memorandum of Understanding between the City and County of San Francisco and the Transport Workers Union of America, AFL-CIO, Local 200, to be effective July 1, 2010, through June 30, 2012.

05/14/10; RECEIVED AND ASSIGNED to Government Audit and Oversight Committee.

Resolutions

100666 [Accept and Expend Grant - State Food and Agricultural Projects - $11,188.77]
Sponsor: Maxwell
Resolution authorizing the San Francisco Department of Public Health to accept and expend a grant in the amount of $11,188.77 from the California Department of Food and Agriculture for the period of July 1, 2010, through June 30, 2011.

05/25/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100667 [Proclaiming Elizabeth Rojas-Colville Day - June 24, 2010]
Sponsor: Daly
Resolution proclaiming June 24, 2010, as Elizabeth Rojas-Colville Day in the City and County of San Francisco.

05/25/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100668 [Enterprise Zone Targeted Employment Area]
Sponsor: Chiu
Resolution approving the boundaries of the City and County of San Francisco Enterprise Zone Targeted Employment Area.

05/25/10; REFERRED FOR ADOPTION WITHOUT COMMITTEE REFERENCE AGENDA AT THE NEXT BOARD MEETING.

100669 [Lease of Real Property – Parcel L (Portion of Assessor's Block No. 0817, Lot No. 33)]
Sponsor: Mayor
Resolution approving the lease of City property located at the northeast corner of Octavia Boulevard and Fell Street and commonly known as Parcel L (portion of Assessor's Block No. 0817, Lot No. 33) to PROXYDevelopment, LLC, for four years at a monthly base rent of $2,000 per month.

05/25/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100670 [Sublease of Real Property - Parcel K (Portion of Assessor's Block No. 0817, Lot No. 30)]
Sponsor: Mayor
Resolution approving the sublease of property located at the southeast corner of Octavia Boulevard and Hayes Street and commonly known as Parcel K (portion of Assessor's Block No. 0817, Lot No. 30) to PROXY Development, LLC, for three years at a monthly base rent of $5,000 per month.

05/25/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100672 [Amendment to Agreement - Titan Outdoor for Advertising on San Francisco Municipal Transportation Agency Property]
Sponsor: Elsbernd
Resolution approving Amendment One to the Agreement for Advertising on San Francisco Municipal Transportation Agency Property between the City and Titan Outdoor, LLC, to allow advertising window wraps on up to 5% of the San Francisco Municipal Transportation Agency's buses and up to 10% of the San Francisco Municipal Transportation Agency's light rail vehicles and to change the approval requirements for advertising in parking garages.
05/25/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100673 [Accept and Expend Grant - Prevention Umbrella for MSM in the Americas - $101,261]
Sponsors: Chu; Dufty
Resolution authorizing the San Francisco Department of Public Health to accept and expend retroactively a grant in the amount of $101,261 from the Public Health Foundation Enterprises, Inc., to assist with a project entitled "Prevention Umbrella for MSM in the Americas" for the period of April 1, 2010, through March 31, 2011.
05/25/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

Motion

100678 [Closed Session - Update on Labor Negotiations Concerning City Workers from the Mayor's Office and the Department of Human Resources]
Sponsor: Avalos
Motion that the Budget and Finance Committee convene in closed session with the Mayor's Office and the Department of Human Resources concerning negotiations with labor unions representing City workers.

This closed session is permitted by Government Code Section 54957.6 and San Francisco Administrative Code Section 67.10(e).
05/25/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Requests for Hearing

100676 [Climate Action Plans]
Sponsor: Mirkarimi
Hearing to review the status of City departments' Climate Action Plans, pursuant to Environment Code Section 903.
05/25/10; RECEIVED AND ASSIGNED to City Operations and Neighborhood Services Committee.

100677 [Commission on the Status of Women's Justice and Courage Oversight Panel Report - Courage to Change]
Sponsor: Chiu
Hearing to present the Commission on the Status of Women's Justice and Courage Oversight Panel Report "Courage to Change," documenting two years of work by City agencies to address gaps in the criminal justice system's response to domestic violence.
05/25/10; RECEIVED AND ASSIGNED to Public Safety Committee.

100679 [Service Impacts on Mayor's Proposed Human Services Agency and Department of Aging and Adult Services Budgets for FY2010-2011]
Sponsor: Avalos
Hearing to consider service impacts of the Mayor's proposed Human Services Agency and Department of Aging and Adult Services budgets for FY2010-2011.
05/25/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

Introduced by President at Request of Departments

PROPOSED ORDINANCE

100360 [Recreation and Park Department - Harding Park Fees]
Ordinance amending the San Francisco Park Code, Article 12, by amending Section 12.12, to increase greens fees at Harding Park and Fleming Golf Courses, and making environmental findings. (Recreation and Park Department)
04/26/10; RECEIVED AND ASSIGNED to Budget and Finance Committee.

05/21/10; SUBSTITUTED.

05/21/10; ASSIGNED to Budget and Finance Committee.

PROPOSED RESOLUTIONS

100605 [Contract with Toyon Associates, Inc., to Provide Regulatory Reporting, Reimbursement and Revenue Optimization Services]
Resolution authorizing the San Francisco Department of Public Health to extend the contract between the City and County of San Francisco and Toyon Associates, Inc., to provide regulatory reporting, reimbursement and revenue optimization services. (Public Health Department)
05/12/10; RECEIVED AND ASSIGNED to Budget and Finance Sub-Committee.

100606 [California Environmental Quality Act Findings for San Francisco Public Utilities Commission Crystal Springs/San Andreas Transmission Upgrade Project]

Resolution adopting findings under the California Environmental Quality Act, including the adoption of a mitigation monitoring and reporting program and a statement of overriding considerations related to the Crystal Springs/San Andreas Transmission Upgrade Project, part of the Water System Improvement Program for the improvements to the regional water supply system, otherwise known as Project No. CUW37101, including the Mitigation Habitat Actions at two sites in San Mateo County; and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

05/17/00; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

100607 [Adopting California Environmental Quality Act Findings for Sunnydale Sewer System Improvement Project]

Resolution adopting findings under the California Environmental Quality Act, CEQA Guidelines, and San Francisco Administrative Code Chapter 31, including the adoption of a mitigation monitoring and reporting program, related to the funding of Project No. CENMSCIC23, Sunnydale Sewer System Improvement Project, in the Visitacion Valley and Sunnydale neighborhood areas, and directing the Clerk of the Board of Supervisors to notify the Controller of this action. (Public Utilities Commission)

05/17/10; RECEIVED AND ASSIGNED to Land Use and Economic Development Committee.

Requests Granted

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from newsstands at the following locations:

San Francisco Bay Guardian
Southeast corner of Fillmore and Post
Southwest corner of Divisadero and Sutter
9th Avenue and Judah (near bus stops)
7th Avenue and Irving (near bus stops)
Northwest corner of Hayes and Fillmore
Southeast corner of Fillmore and Haight

San Francisco Chronicle
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore
Irving and 9th Avenue
Irvine and 7th Avenue
Southwest corner of Haight and Clayton
Southeast corner of Haight and Masonic

Examiner
Northwest corner of Fillmore and Hayes
Southeast corner of Haight and Fillmore

SF Daily
Northwest corner of Hayes and Gough

City Star
Northwest corner of Hayes and Gough
Southeast corner of Fillmore and Haight

SF Weekly
Southeast corner of Masonic and Haight and Southeast corner of Haight and Fillmore

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following private property locations:

901 Divisadero
500 Page, on the Fell side
1779 Fulton
593 Haight
798 Haight
751 Fulton
1859 Fulton
546 Haight
528 Haight
507 Haight

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from utility poles at the following locations:

Wood Pole
Southeast corner Haight & Fillmore

Metal Poles
In front of 312 Fillmore
In front of 2225 Turk

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following public property locations:

Utility Boxes
Northeast corner Broderick & Hayes
Northeast corner Oak & Broderick
Northeast corner Pierce & Waller

Bus Shelters
Southeast corner Buchanan & Hayes
On Masonic near Oak
Fillmore and Haight (all 4 bus stops, graffiti and grime)

Emergency Boxes
Northeast corner Fillmore & Haight
Northeast Broderick & Hayes

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of removing graffiti from the following locations:

Garbage Cans
Northwest corner Fulton & Clayton
Northwest corner Haight & Fillmore

Mailbox
Southwest corner Turk & Baker
Southwest corner McAllister & Broderick

From: Supervisor Mirkarimi
To: Director, Department of Public Works
Requesting/Inquiring: Requesting the Department of Public Works to report on the status of repairing potholes at the following locations:

Potholes and Sidewalk issues
On Hayes, between Lyon & Baker, North side
On Fillmore & Waller, South of Waller near crosswalk; sink hole/asphalt cracking

From: Supervisor Mirkarimi
To: Director, Mayor's Office of Economic and Workforce Development
To: Director, Recreation and Parks Department
Requesting/Inquiring: Requesting the Mayor's Office of Economic and Workforce Development and the Recreation and Parks Department to report on any efforts that were made to petition the United States Soccer Federation to include Candlestick Park as a candidate venue for the United States' bid to host the 2018 and 2022 FIFA World Cups.

From: Supervisor Mar
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to look into drafting legislation that would require that gifts of public open space or public parks be gifted to the Recreation and Park Department.

From: Supervisor Alioto-Pier
To: City Attorney
Requesting/Inquiring: Requesting the City Attorney to draft an amendment to the Planning Code to require Other Entertainment Uses to be a conditional use in the Van Ness Special Use District.

From: Supervisor Alioto-Pier
To: Director, Mayor's Office of Housing
Requesting/Inquiring: Please provide a report on the number of affordable housing units in San Francisco specifically targeted to youth or young adults up to the age of 25. Provide the number of units that are fully accessible for youth and young adults with disabilities.

In Memoriams

Mary Lou Nordland Bodo – Supervisor Dufty
John Ring – Supervisors Elsbernd, Chu, Dufty, and Alioto-Pier
Ken Bruce – Entire Board
Cynthia Elaine Knight-Selmar – Supervisor Maxwell
Steve Wiezbowski – Supervisor Chiu

ADJOURNMENT

There being no further business, the Board adjourned at the hour of 4:44 p.m.

N.B. The Minutes of this meeting set forth all actions taken by the Board of Supervisors on the matters stated, but not necessarily the chronological sequence in which the matters were taken up.

Approved by the Board of Supervisors on June 29, 2010.

Angela Calvillo, Clerk of the Board

Houchen
Bindery Ltd